

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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HOUSE BILL 1438

Short Title: Children's Trust Fund/DPI to DHHS. (Public)

Sponsors: Representatives Moore, Weiss (Primary Sponsors); Adams, B. Allen, Barbee, Barnhart, Blackwood, Bordsen, Carney, Dickson, Earle, England, Farmer-Butterfield, Frye, Glazier, Goforth, Gorman, Insko, Jeffus, Lucas, McLawhorn, McMahan, Munford, Parmon, Pate, Rapp, Ray, Rayfield, Ross, Wainwright, Walend, and Warner.

Referred to: State Government.

May 13, 2004

A BILL TO BE ENTITLED

1 AN ACT TO TRANSFER THE CHILDREN'S TRUST FUND AND
2 RESPONSIBILITY FOR AWARDING GRANTS FOR CHILD ABUSE AND
3 NEGLECT PREVENTION PROGRAMS FROM THE DEPARTMENT OF
4 PUBLIC INSTRUCTION TO THE DEPARTMENT OF HEALTH AND HUMAN
5 SERVICES, AS RECOMMENDED BY THE HOUSE INTERIM COMMITTEE
6 ON CHILD ABUSE AND NEGLECT, FOSTER CARE, AND ADOPTION.
7

8 The General Assembly of North Carolina enacts:

9 **SECTION 1.** G.S. 7B-1301 reads as rewritten:

10 **"§ 7B-1301. Program on Prevention of Abuse and Neglect.**

11 (a) ~~The State Board of Education, through the Department of Public~~
12 ~~Instruction,~~Department of Health and Human Services shall implement the Program on
13 Prevention of Abuse and Neglect. ~~The Department of Public Instruction, subject to the~~
14 ~~approval of the State Board of Education, shall provide the staff and support services for~~
15 ~~implementing this program.~~

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

17 (1) ~~The Department of Public Instruction~~ shall review applications and
18 ~~make recommendations to the State Board of Education concerning the~~
19 ~~awarding of award~~ contracts under this Article.

20 (2) ~~The State Board of Education~~ Department shall contract with public or
21 private nonprofit organizations, agencies, schools, or with qualified
22 individuals to operate community-based educational and service
23 programs designed to prevent the occurrence of abuse and neglect.
24 Every contract entered into by the ~~State Board of Education~~
25 Department shall contain provisions that at least twenty-five percent

1 (25%) of the total funding required for a program be provided by the
2 administering organization in the form of in-kind or other services and
3 that a mechanism for evaluation of services provided under the
4 contract be included in the services to be performed. In addition, every
5 proposal to the Department of ~~Public Instruction~~ for funding under this
6 Article shall include assurances that the proposal has been forwarded
7 to the local department of social services for comment so that the
8 Department of ~~Public Instruction~~ may consider coordination and
9 duplication of effort on the local level as criteria in ~~making~~
10 ~~recommendations to the State Board of Education.~~funding programs.

11 (3) ~~The State Board of Education, with the assistance of the Department of~~
12 ~~Public Instruction, Secretary shall adopt rules to~~ develop appropriate
13 guidelines and criteria for awarding contracts under this Article. These
14 criteria shall include, but are not limited to: documentation of need
15 within the proposed geographical impact area; diversity of
16 geographical areas of programs funded under this Article;
17 demonstrated effectiveness of the proposed strategy or program for
18 preventing abuse and neglect; reasonableness of implementation plan
19 for achieving stated objectives; utilization of community resources
20 including volunteers; provision for an evaluation component that will
21 provide outcome data; plan for dissemination of the program for
22 implementation in other communities; and potential for future funding
23 from private sources.

24 (4) ~~The State Board of Education, with the assistance of the Department of~~
25 ~~Public Instruction,~~ shall develop guidelines for regular monitoring of
26 contracts awarded under this Article in order to maximize the
27 investments in prevention programs by the Children's Trust Fund and
28 to establish appropriate accountability measures for administration of
29 contracts.

30 (5) ~~The State Board of Education~~ Department shall develop a State plan
31 for the prevention of abuse and neglect for submission to the
32 Governor, the President of the Senate, and the Speaker of the House of
33 Representatives.

34 (c) To assist in implementing this Article, the ~~State Board of Education~~
35 Department may accept contributions, grants, or gifts in cash or otherwise from persons,
36 associations, or corporations. All monies received by the ~~State Board of Education~~
37 Department from contributions, grants, or gifts and not through appropriation by the
38 General Assembly shall be deposited in the Children's Trust Fund. Disbursements of the
39 funds shall be on the authorization of the ~~State Board of Education or that Board's duly~~
40 ~~authorized representative.~~Secretary of the Department. In order to maintain an effective
41 expenditure and revenue control, the funds are subject in all respects to State law and
42 regulations, but no appropriation is required to permit expenditure of the funds.

43 (d) Programs contracted for under this Article are intended to prevent abuse and
44 neglect of juveniles. Abuse and neglect prevention programs are defined to be those

1 programs and services ~~which~~ that impact on juveniles and families before any
2 substantiated incident of abuse or neglect has occurred. These programs may include,
3 but are not limited to:

- 4 (1) Community-based educational programs on prenatal care, perinatal
5 bonding, child development, basic child care, care of children with
6 special needs, and coping with family stress; and
7 (2) Community-based programs relating to crisis care, aid to parents, and
8 support groups for parents and their children experiencing stress within
9 the family unit.

10 (e) No more than twenty percent (20%) of each year's total awards may be
11 utilized for funding State-level programs to coordinate community-based programs."

12 **SECTION 2.** G.S. 7B-1302 reads as rewritten:

13 **"§ 7B-1302. Children's Trust Fund.**

14 There is established a fund to be known as the "Children's Trust Fund," in the
15 Department of State Treasurer, which shall be funded by a portion of the marriage
16 license fee under G.S. 161-11.1 and a portion of the special license plate fee under
17 G.S. 20-81.12. The money in the Fund shall be used by the ~~State Board of Education~~
18 Department of Health and Human Services to fund abuse and neglect prevention
19 programs so authorized by this Article."

20 **SECTION 3.** This act becomes effective July 1, 2004.