

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003

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SENATE DRS35437-SWz-31A* (05/12)

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

(Public)

Sponsors: Senator Purcell.

Referred to:

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

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

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

(2) ~~The State Board of Education~~ 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 ~~State Board of Education~~ 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

1 that a mechanism for evaluation of services provided under the
2 contract be included in the services to be performed. In addition, every
3 proposal to the Department of ~~Public Instruction~~ for funding under this
4 Article shall include assurances that the proposal has been forwarded
5 to the local department of social services for comment so that the
6 Department of ~~Public Instruction~~ may consider coordination and
7 duplication of effort on the local level as criteria in ~~making~~
8 ~~recommendations to the State Board of Education.~~funding programs.

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

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

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

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

41 (d) Programs contracted for under this Article are intended to prevent abuse and
42 neglect of juveniles. Abuse and neglect prevention programs are defined to be those
43 programs and services ~~which~~ that impact on juveniles and families before any

1 substantiated incident of abuse or neglect has occurred. These programs may include,
2 but are not limited to:

3 (1) Community-based educational programs on prenatal care, perinatal
4 bonding, child development, basic child care, care of children with
5 special needs, and coping with family stress; and

6 (2) Community-based programs relating to crisis care, aid to parents, and
7 support groups for parents and their children experiencing stress within
8 the family unit.

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

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

12 **"§ 7B-1302. Children's Trust Fund.**

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

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