

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**HOUSE BILL 456**

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

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Sponsors: Representatives Hunter; Alexander, Boyd-McIntyre, Goodwin, Morris, and Wainwright.

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Referred to: Children, Youth and Families, if favorable, Rules, Calendar and Operations of the House.

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March 1, 2001

A BILL TO BE ENTITLED

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2 AN ACT TO ESTABLISH A LEGISLATIVE STUDY COMMISSION ON THE  
3 INVESTIGATION OF CHILD ABUSE AND NEGLECT IN CHILD CARE  
4 FACILITIES.

5 The General Assembly of North Carolina enacts:

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

9 (1) The Speaker of the House of Representatives shall appoint seven  
10 members as follows: one member of the House of Representatives, one  
11 child care provider, one parent of a child in child care, one  
12 pediatrician, one representative of a local law enforcement agency, one  
13 representative from the Attorney General's office, and one  
14 representative from a medical research facility that deals with  
15 children's injuries.

16 (2) The President Pro Tempore of the Senate shall appoint seven members  
17 as follows: one member of the Senate, one child care provider, one  
18 director of a local department of social services, one representative  
19 from the Division of Facility Services who works with the Health Care  
20 Personnel Registry, one representative from the Division of Child  
21 Development, one representative from the North Carolina Child Care  
22 Commission, and one representative from a local child care resource  
23 and referral agency.

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

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

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

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

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