

# Child Protective Services

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## OVERVIEW

### ***What is it?***

Child protective services are those services necessary to protect children from abuse, neglect or dependency.

### ***Who is it for?***

Any child under the age of 18 who may be subject to abuse, neglect or dependency by a parent or caretaker. There are no financial eligibility requirements for this program.

### ***Where are applications taken?***

There are no formal applications for this program. The county Department of Social Services (DSS) must investigate all reports of suspected abuse, neglect and dependency (that meet the statutory definitions for investigation), and provide further services to ensure the safety of the child or children if the allegation is substantiated. Reports come from all sources, including family members, neighbors, schools and non-profit agencies.

## INTRODUCTION

The Child Protective Services (CPS) program is mandated by state and federal law. The county Departments of Social Services are responsible for receiving and investigating any report that alleges that a child may be abused, neglected or dependent if the child is under the age of 18 and the allegation is against the parent or caretaker. If the report is substantiated, DSS must provide services to the child and his/her family to ensure that the child is protected.

## BENEFITS/ SERVICES

Children and families are eligible for in-home services if allegations of abuse, neglect, and dependency are substantiated. In-home child protective services include case planning and case management aimed at improving parenting skills to ensure the safety of the child within the home. In-home services also include referrals to other needed services, such as health care, mental health services and substance abuse treatment. If a county DSS thinks that a child cannot remain in his or her home safely, the agency will seek court intervention. The district court may place a child in the custody of a county Department of Social Services. When a child is placed in DSS custody, the child and family are eligible for foster care services aimed at reunification of the child with the family or termination of parental rights and placement of the child in an adoptive home.

### **Reports of Abuse, Neglect or Dependency**

*Every person or institution that has reason to suspect that a child may be abused, neglected or dependent, or who has died as a result of mistreatment, has a legal responsibility to*

*report this information to the county DSS where the child resides.* The report may be made orally, by telephone, or in writing, and should contain any information that may be helpful in determining whether abuse, neglect or dependency exists.

DSS is required to initiate investigations of all reports of suspected abuse that meet the statutory definitions for investigation within 24 hours of receiving the reports and must initiate investigations of all reports of suspected neglect or dependency that meet the statutory definitions for investigation within 72 hours of receiving the report. When a report alleges child abuse or neglect in a day care facility or day care home, the Department of Social Services shall notify the Child Abuse/Neglect Unit in the Division of Child Development within 24 hours. When a report alleges child sexual abuse in a day care facility or day care home, the DSS shall also notify the State Bureau of Investigation within 24 hours.

### **Abuse, Neglect or Dependency**

The following are the criteria used in determining whether a child has been abused, neglected or is dependent:

- *Abused child.* Any child under age 18 whose parent, guardian, custodian or caretaker:
  - Inflicts (or allows someone else to inflict) serious physical injury;
  - Creates (or allows the creation of) a substantial risk of serious physical injury;
  - Uses (or allows the use of) cruel or grossly inappropriate disciplinary procedures;
  - Commits (or permits) rape, sexual offenses, a crime against nature, incest or takes obscene photos, promotes prostitution or takes indecent liberties;
  - Creates (or allows the creation of) serious emotional damage to the child; or
  - Encourages, directs or approves of delinquent acts involving moral turpitude.
- *Neglected child.* Any child under age 18 who does not receive proper care, supervision or discipline from his or her parent, guardian or caretaker or who has been abandoned. Neglected children also include children who are not provided necessary medical or remedial care, who live in an environment injurious to their welfare, or who have been placed for care or adoption in violation of the law. The state will look at whether other children in the household have been abused or neglected in making their determination of neglect.
- *Dependent child.* Any child under age 18 in need of assistance or placement because he/she has no parent, guardian, or custodian responsible for his/her care and supervision. Dependent children also include those children whose parents, guardians, or custodians are unable to provide care and supervision and lack an appropriate alternative child care arrangement.

**NUMBERS  
SERVED**

In SFY 1997/98, there were:

61,298	reports of abuse, neglect or dependency
114,152	children involved in reports
34,759	children involved in substantiated reports

**PRIORITIZATION  
SYSTEM**

Services are available to all in need.

**FINANCING**

The program is financed with federal, state and local funds. In SFY 98, the federal government contributed approximately 48% of program costs, the state contributed approximately 20% and counties paid the remaining 28%, although the actual amounts varied by county. The following amounts of money were spent on Child Protective Services in SFY 1998:

Federal:	\$ 92,385,845
State:	\$ 37,844,684
County:	\$ 54,606,343
Other:	\$ 9,229,543

**ADMINISTRATION**

The program is administered on the federal level by Administration on Children, Youth and Families, US Department of Health and Human Services. On the state level, the program is administered by Children's Services Section, Division of Social Services within the NC Department of Health and Human Services, and at the local level by the county Departments of Social Services.

**SOURCES OF LAW**

Federal statutes:	42 USC 601 <i>et. seq.</i> 42 USC 5101 <i>et. seq.</i>
Federal regulations:	45 CFR 1340 (and other appropriate sections of Title 42 and 45 of the CFR)
State statutes:	NCGS 7A-516-744 (Juvenile Code)
State regulations:	10 NCAC 411 (Protective services)
State policy manual:	Family Services Manual, Vol. 1, Children's Services, Chapter VIII, Child Protective Services

**FOR MORE  
INFORMATION**

Children's Services Section  
Division of Social Services  
NC Department of Health and Human Services  
325 N. Salisbury St.  
Raleigh, NC 27603-5905  
919-733-4622

CARELINE: 1-800-662-7030

