



*Working to make North Carolina
the best place to be and raise a child*

2008 Legislative Agenda

May 2008

The North Carolina General Assembly will begin its 2008 legislative short session on May 13 and intends to end in July. State revenues are coming in lower than expected and, with a continued economic downturn predicted, it is anticipated that some program funding cuts will be considered. Stay abreast of the latest legislative activity affecting children through our weekly policy update by registering at www.ncchild.org.

Health

The number of uninsured children in North Carolina increased 20% from 2001 to 2006, primarily due to a decline in employer-offered dependent/family coverage. Currently, nearly 300,000 or 1-in-8 North Carolina children are uninsured.

- 1) **Fully Fund N.C. Health Choice:** The federal government has failed to adequately increase funding for North Carolina to keep up with the demand for N.C. Health Choice, a state- and federally-funded health insurance program for uninsured children of low-wage working parents. State leaders should take all steps necessary to avoid a waiting list or freeze of the Health Choice Program.
- 2) **Implement N.C. Kids' Care:** In 2007, state legislators enacted N.C. Kids' Care Health Insurance, a subsidized sliding-scale health insurance program for uninsured children living in families with incomes between 200% and 300% of the federal poverty level. The July 1, 2008 start date for N.C. Kids' Care is indefinitely delayed because the federal government has placed limits on states' plans to expand health care to more uninsured children. Federal matching funds are needed to implement Kids' Care. State legislators should explore all options available to implement part or all of N.C. Kids' Care as soon as possible.

Juvenile Justice

- 3) **Adequately Fund Juvenile Crime Prevention Councils**
 - a) Restore Juvenile Services Funding before July 1: All funding (\$22.7m) currently allocated for JCPCs to fund local juvenile services is slated to end at the close of this fiscal year on June 30, 2008. About 25,000 children are served annually by these programs and 84% of local juvenile service providers indicate they would have to cease services if this JCPC funding is not restored.
 - b) Increase Juvenile Services Funding to \$31m: Funding for local juvenile delinquency prevention services is currently \$600,000 less than the \$23.3m allocated in 2002, but the number of youth needing services has risen. Additional funding is needed to keep up with inflation, meet the need for services, allow JCPCs to better monitor and support local programs and to update the state funding formula.
- 4) **Raise the Presumptive Age of Adult Criminal Prosecution to 18 (HB 492/ SB 1445)**

North Carolina is the only state to automatically charge, try, sentence and incarcerate 16- and 17- year-olds in the adult criminal system with no exceptions. These minors do not have access to services appropriate for youth, nor the right to education, and their parents do not have to be notified of their charges, trial or sentencing.

 - a) All minors should be presumed under juvenile court jurisdiction unless a juvenile judge transfers them to superior court or they are charged with 1st degree murder.
 - b) A feasibility study should be prepared outlining steps necessary to make this change.

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Economic Security

- 5) **Paid Sick Days (HB 1711):** No law provides North Carolina workers with the right to take a day off work due to illness or injury, or to care for a close family member with illness or injury. This legislation would require employers to provide paid sick days to employees so they can care for themselves, their children, their spouses, their parents or their spouses' parents when they are sick or injured.
- 6) **Fund N.C. Earned Income Tax Credit Outreach:** Beginning in 2009, many of North Carolina's low-wage workers will be able to claim the new N.C. Earned Income Tax Credit (EITC). Funding previously allocated to conduct EITC outreach and education, should be renewed and increased so taxpayers know a state EITC is available and how to file for it.

Early Childhood Development and Education

In February 2008, almost 27,000 young children in North Carolina were on the waiting list for child care subsidies. Demand is so high that some counties have had to terminate subsidy for children already in the program. Subsidies reimburse providers for only a portion of the actual cost to provide care and have not kept pace with fair market rates.

- 7) **Fully Fund the N.C. Child Care Subsidy Program:** Increase funding for child care subsidies to reduce the waiting list.
- 8) **Increase Subsidy Reimbursement Rates:** Increase provider rates closer to the median fair market rate of care, to ensure parents are not charged additional fees they cannot pay and to maintain quality providers for children receiving subsidies.

Public Education

- 9) **Increase Graduation Rate and Reduce Dropout Rate** Define and require research-based criteria for determining which new programs or services to fund to decrease dropout rates and increase graduation rates. When new programs are implemented they should include and fund evaluation of program results. All programs should define outcome measures and how they will monitor their progress toward those outcomes. These efforts should include programs or services that target special populations with the lowest statewide graduation rates including children with disabilities and African-American and Native American children.
- 10) **Define and Require Reporting on Use of Corporal Punishment:** N.C. Public Schools have the option to determine their local corporal punishment policy within certain limitations. Fifty-five (55) school systems have banned corporal punishment, but 60 allow the practice. There is currently no requirement that local school systems file a copy of their corporal punishment policy with DPI and there is no reporting required when corporal punishment is administered. Without reporting it is impossible to ensure Local Education Authorities (LEAs) are following the state legal requirements. There also is no definition of corporal punishment at the state or local level, which leaves school staff under-informed about how and when to implement this practice.

Child Welfare & Abuse Prevention

- 11) **Child Endangerment:** Amend North Carolina statutes, as proposed by the N.C. Child Fatality Task Force, to increase the protection of children by strengthening misdemeanor charges for child abuse and adding felony charges for willful acts or omissions on the part of a parent or caregiver that result in serious injury or serious bodily injury to a child.

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