

STATE OF SOUTH CAROLINA



JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN

Executive Summary of Comments from Citizens
2014 Public Hearings

JOINT CITIZENS AND LEGISLATIVE COMMITTEE ON CHILDREN

Membership

Appointed by the President *Pro Tempore* of the Senate:

Senator Michael L. Fair, Greenville
Senator C. Bradley Hutto, Orangeburg
Senator Darrell Jackson, Columbia

Appointed by Speaker of the House:

Representative Shannon Erickson, Beaufort
Representative Mia McLeod, Columbia
Representative L. Kit Spires, Pelion

Appointed by the Governor:

Ms. Marie Land, Manning
Mr. Derek Lewis, Greenville
Mr. George M. Milner, Summerville

Ex Officio:

Director, Department of Disabilities and Special Needs
State Superintendent of Education
Director, Department of Juvenile Justice
Director, Department of Mental Health
Acting Director, Department of Social Services

Beverly A. Buscemi
Mitchell M. Zais
Margaret H. Barber
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State of South Carolina
Joint Citizens and Legislative Committee on Children
Report of the 2014 Public Hearings

During the fall of 2014, concerned citizens and advocates for child well-being provided testimony to the Joint Citizens and Legislative Committee on Children at public hearings around the state. Those who testified offered recommendations for policy and legislative changes to be considered by the Committee on Children. The public hearings were held in Greenville on November 10, 2014, in Columbia on November 13, 2014, and in Charleston on November 19, 2014. The Committee also collected testimony online and via mail.

Following is a summary of public input grouped by topical categories.

Juvenile Justice

Status Offenses

According to testimony, 51% of children incarcerated in South Carolina are being held for a probation violation where the underlying offense is a status offense, not a criminal offense. Testimony reflected concern that incarceration does not address the underlying problems of the child and family that gave rise to the status offending behavior. The Committee was encouraged to research and modify the practice of incarcerating status offenders.

Pre-trial Evaluations

The Committee was asked to support a preference for a home evaluation when a child is ordered to be evaluated by the Department of Juvenile Justice, instead of spending up to 45 days in a DJJ secure evaluation center.

Disturbing Schools

Testimony indicated that currently in South Carolina, the offense of “disturbing schools” is used as a catchall offense to criminalize student misconduct that was previously managed through school disciplinary procedures. The Committee was asked to consider amending the existing statute and encouraging school districts to move away from a zero tolerance policy to a Positive Behavior Intervention Support (PBIS) system.

Juvenile Record Expungement

Testimony reflected concern about future problems that arise from the existence of offenses committed when a person was under age 17. Identified problems included limitations on access to higher education, obtaining jobs, and joining the military. One speaker suggested that a task force be coordinated to study the automatic expungement of nonviolent juvenile records.

Childcare Regulations

Testimony reflected concerns that a number of “loopholes” exist in the current regulation of childcare; e.g., childcare programs that are open no more than four hours a day and certain summer day camps are not regulated by the state under current law. Other testimony was offered

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in opposition to any change to current childcare regulations, stating that facilities operating less than four hours a day and summer camps already voluntarily comply with background checks and other child safety regulations. Testimony was offered in support of a policy change to expand the time a family is eligible for ABC vouchers, which are used by low-income parents to pay for childcare.

Organization of Children's Services

Proposed new children's agency

Testimony was offered in support of restructuring the Department of Social Services (DSS) and other children's services to create a new agency. Specifically, there was support for a proposal that would create a Department of Child and Family Services, which would combine the responsibilities of the child protective services division of DSS; the Department of Juvenile Justice; the Department of Mental Health's Division of Children, Adolescents, and Families; and the Continuum of Care. This Department would include a division on accountability.

Child Protection

Mandated Reporters

Testimony was offered in support of a proposal that would amend S.C. Code § 63-7-310, which lists specific professionals mandated to report child abuse to authorities, to provide that any person in the state who suspects child abuse or neglect be a mandated reporter.

Safety Plans

Testimony reflected various concerns that current DSS policy regarding safety plans allows for removal of children from their homes without adequate safeguards to ensure the removal is both appropriate and necessary under state and federal law. Also, there was a suggested requirement that a safety plan be supported by a thorough report by the appointed Guardian ad Litem.

School Readiness and Early Childhood Education

First Steps

Almost 300 supporters of First Steps, including teachers, parents, grandparents, and 4k providers, wrote letters thanking the Committee for supporting the reauthorization of First Steps. Testimony praised the collaborations between First Steps, other early childhood organizations, and the community-based programs in rural areas. Parents and caregivers testified about how First Steps programs have helped with their children's education. Recommendations were also made for the expansion of 4K.

Early Childhood Education

Testimony was offered that suggested there needs to be a political understanding that the economic future of the state hinges on the health and well-being of our youngest children. Speakers expressed a desire for interagency collaboration and movement away from agency "ownership" regarding the provision of treatment and services for children. They recommended that research and evidence-based policies should be central in early childhood education

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programming. Many also recommended improved and increased opportunities for training for early childhood teachers and caregivers as a way to improve the quality of care for young children in our state.

BabyNet

The Committee was asked to support the interagency budget request of BabyNet to serve children and to conduct a cost study of the impact of BabyNet services. Additionally, the Committee was asked to support Medicaid coverage of BabyNet's Autistic Spectrum Disorders (ASD) services that are currently funded only through BabyNet's federal funding stream.

Health

Smokeless Tobacco

Testimony was presented encouraging the Committee to support legislation prohibiting the sale of smokeless tobacco to children. There is little research on the long-term health consequences of smokeless tobacco, and testimony reflected concern that allowing youth to access smokeless tobacco can be detrimental to their health.

Our Daughter's Keeper

Testimony reflected concerns that current law does not mandate an investigation to determine if the pregnancy of any girl under the age of 16 was the result of statutory rape. Testimony was offered suggesting that mandating the reporting of pregnancies of girls younger than 16 (the age of consent) would not only allow for an investigation, but would also ensure social service intervention when needed to provide services to the young mother and child, thus improving the well-being of the baby and decreasing the chances of child abuse and neglect.

Sex Education Curriculum

The Committee was urged to encourage the Department of Education to review the sexual education curriculum to ensure it is medically accurate.

Poverty

Minimum Wage

The Committee was asked to consider supporting an increase in the current minimum wage to help minimize the problem of child poverty.

Earned Income Tax Credit (EITC)

The Committee was encouraged to support a state EITC implementation to complement the current federal EITC. Speakers testified that the Federal EITC has proven effective in helping families who work at low wage jobs and reducing child poverty, while incentivizing work.