

Initiation Of An Investigation

- Reports alleging abuse must be initiated by the Department within 24 hours of receipt of the information. Reports alleging neglect must be initiated within 72 hours.
- The Department must contact the individual who is administratively responsible for the on-site operation of the child care setting. This individual should not be given prior notice of the investigation. The required notification should be made at the time of the investigative assessor's (social worker) first contact with the child care arrangement.
- The local DSS must notify the Division of Child Development within 24 hours (or next working day) following the receipt of the report (G.S. 7B-548) and the parents of the alleged victim children as quickly as possible.
- If at any point during the investigative assessment process DSS finds information that a child has been abused or neglected in the child care setting, they must immediately notify the Division of Child Development.
- If DSS finds that a child may have been abused in a child care setting within the county, they must notify the local District Attorney.
- If a child resides/is found in another county and that county obtains information that the child was abused in a child care setting in another county, they must notify the local DSS in the county where the child care is located.
- NC General Statutes 7B-302 and 303 discusses the Department's right to have personal access to children involved in a CPS-IA as well as the ability to interview them privately without parental consent or presence.

What Is The Responsibility Of The Child Day Care Facility?

Non-Cooperation

If and when an administrator refuses to cooperate with the local DSS in an investigative assessment, DSS may petition the court under G.S. 7B-544.1 – Interference with an investigation. Examples of non-cooperation would be:

- Refusal to allow access to the property.
- Refusal to provide information specific to staff children.
- Refusal to allow interviews with staff and/or children on site.

Completion of an Investigative Assessment

Once the assessment is complete (inclusive of a two level decision with the social worker and social work supervisor), the local DSS must conduct a review of the findings with the operator of the child care setting. Should the decision be to substantiate abuse, neglect or dependency, the Department will provide recommendations for prevention of further abuse, neglect or dependency.

Our work is guided by professional ethics and values that are designed to safeguard your privacy and confidentiality. If you have any concerns about how you have been treated, contact your worker's supervisor. If you are unsure who to contact, please call the Director's office at (828) 250-5587.

Children Services Division

Child Day Care Investigative Assessments



Buncombe County Department of Social Services

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P.O. Box 7408
Asheville, NC 28802

Hours of Operation
Monday - Friday
8:00 am - 5:00 pm

Phone: (828) 250-5500
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What Are Child Day Care Investigative Assessments?

NC Law requires that the Department of Social Services provide protective services (which includes screening and investigations of complaints) for children alleged to be abused, neglected. Because the definition of caretaker (G.S. 7B-517) includes child care homes and facilities, the law requires the investigation of reports of abuse, neglect or dependency in child care facilities. In all cases in which a child care facility is licensed by the Division of Child Development, it is subject to a child protective services (CPS) investigative assessment regardless of the number of children served.

What Is The Role Of The Child Abuse/Neglect Unit, Division of Child Development

An investigation conducted by the division of child development focuses on the functioning of the child care operation which differs from the local DSS focus on the victim child/children. Both departments investigations/assessments are jointly conducted.

Reports which allege sexual abuse of a child in a child care setting must also include a report to the State Bureau of Investigation.

What Is DSS's Role?

G.S. 7B-542 mandates DSS screen complaints/reports of abuse, neglect or dependency of children. DSS must determine:

- whether the allegations meet the definitions of abuse, neglect or dependency as provided in NC General Statute.
- whether the child care arrangement meets the definition of a child care home or facility as set forth in the NC General Statute.
- whether the parents or guardians of the alleged victim (s) have acted responsibly for protecting their child.

Reports alleging abuse must be initiated by the Department within 24 hours of receipt of the information.

There are instances in which reports do not meet the statutory definitions. In these instances any and all concerns, whether specific to these statutory definitions of abuse and neglect or not, will be referred to the Division of Child Development—Abuse/Neglect Unit.

How Are Reports Of Alleged Sexual Abuse Handled?

- If allegations of sexual abuse arise during an investigative assessment, the local Department of Social Services is mandated to report to the SBI immediately—separate and apart from notification to local law enforcement.
- In any investigative assessment of a child care setting, the local DSS must conduct a visit to the center and visit (s) to where the alleged victim child/children resides. DSS must also interview face to face the alleged perpetrator as well as anyone who was identified by the reporter as having information regarding the allegations.
- In all CPS investigative assessments, DSS has thirty (30) days from the receipt of the report to complete. However, if all mandated steps cannot be completed within this time frame, DSS must document the reason for the delay within the investigative assessment record.

**For Further Information
On Services
Call (828) 250-5500**