

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

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SENATE BILL 277

Short Title: Require Educ. Development Plan/Foster Care. (Public)

Sponsors: Senators Robinson, Barringer, Randleman (Primary Sponsors); Barefoot and Bryant.

Referred to: Health Care.

March 13, 2013

1 A BILL TO BE ENTITLED
2 AN ACT AUTHORIZING THE SOCIAL SERVICES COMMISSION TO ADOPT RULES
3 AND REQUIRING A FOSTER PARENT TO HAVE IN PLACE AN EDUCATIONAL
4 DEVELOPMENT PLAN FOR A CHILD IN THE FOSTER PARENT'S CARE.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. G.S. 131D-10.5(7) reads as rewritten:

7 "§ 131D-10.5. Powers and duties of the Commission.

8 In addition to other powers and duties prescribed by law, the Commission shall exercise the
9 following powers and duties:

10 ...
11 (7) Adopt rules ~~establishing~~ establishing (i) educational requirements, including
12 establishing a policy to require a foster parent to create an educational
13 development plan for a foster child in the foster parent's care before the
14 foster child enters high school under G.S. 131D-10.6A(a1); (ii) minimum
15 age; (iii) relevant experience; (iv) and criminal record status
16 for executive directors and staff employed by child placing agencies and
17 residential child care facilities."

18 SECTION 2. G.S. 131D-10.6A is amended by adding the following new
19 subsection to read:

20 (a1) In accordance with rules adopted by the Commission under G.S. 131D-10.5(7), the
21 Division of Social Services shall ensure that in the foster parent's agreement and incorporated
22 in the foster parent's required training under subsection (a) of this section, the foster parent
23 creates an educational development plan for the child placed in the foster parent's care. In
24 creating an educational development plan, the foster parent shall consider and address any
25 special needs of the child in foster care, including the incorporation of an individualized
26 education program (IEP) in accordance with Part 1A of Article 9 of Chapter 115C of the
27 General Statutes. The educational development plan shall be in place prior to the foster child
28 entering into high school. For purposes of this subsection, "educational development plan"
29 means a plan that assists the child in preparing for entrance into high school, including, but not
30 limited to (i) ensuring appropriate coursework is completed in compliance with State law; (ii)
31 ensuring grades are maintained; (iii) determining the appropriate high school that best meets
32 the child's needs and interests; and (iv) ensuring attendance requirements are met."

33 SECTION 3. This act is effective when it becomes law.

