

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

FILED SENATE  
Mar 12, 2013  
S.B. 277  
PRINCIPAL CLERK

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SENATE DRS75151-LU-62 (02/20)

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

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

Referred to:

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; age; (iii) relevant ~~experience~~, 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.

