



North Carolina Department of Health and Human Services Division of Social Services

Pat McCrory, Governor

Aldona Z. Wos, M.D.
Ambassador (Ret.)
Secretary DHHS

Wayne E. Black
Division Director

August 30, 2013

DEAR COUNTY DIRECTOR OF SOCIAL SERVICES AND DIRECTORS OF PRIVATE CHILD PLACING AGENCIES

ATTENTION: ALL CHILD WELFARE SERVICES STAFF

SUBJECT: SESSION LAW 2013-326 FOSTER CARE CHILDREN'S BILL OF RIGHTS

The North Carolina Division of Social Services would like to inform you of recent state legislation that positively impacts the provision of services to children in foster care throughout the state. On July 23rd, 2013 Governor McCrory signed into law the Foster Care Children's Bill of Rights. The details of this Act can be read at <http://ncleg.net/Sessions/2013/Bills/House/PDF/H510v5.pdf>.

As it is the policy of the NC Department of Health and Human Services to strengthen and preserve the family unit, as well as protect the welfare of children; codification helps to assure that these rights are respected. This will not only enhance the quality of services that children in foster care receive, but also ensure that these children are protected from further violations of their safety, permanency, and well-being. The intention of this law is to preserve the mission and values of child welfare services, not enforce punitive measures against individual child welfare workers, local child welfare agencies or staff within private child placing agencies.

While it's not always possible to maintain the family as a unit for reasons of child safety, local child welfare agencies and private child placing agency partners can provide high quality services in protecting the rights and welfare of children in their care. In this spirit, the North Carolina General Assembly promotes through the enactment of this law, the following in the provision of foster care services:

1. A safe foster home free of violence, abuse, neglect, and danger.
2. First priority regarding placement in a home with siblings.
3. The ability to communicate with the assigned social worker or case worker overseeing the child's case and have calls made to the social worker or case worker returned within a reasonable period of time.
4. Allowing the child to remain enrolled in the school the child attended before being placed in foster care, if at all possible.

www.ncdhhs.gov • www.ncdhhs.gov/dss

Tel 919-733-4622 • Fax 919-715-6714

Location: McBryde East • 820 South Boylan Avenue • Raleigh, NC 27603

Mailing Address: 2408 Mail Service Center • Raleigh, NC 27699-2408

An Equal Opportunity/Affirmative Action Employer



5. Having a social worker, when a child is removed from the home, to immediately begin conducting an investigation to identify and locate all grandparents, adult siblings, and other adult relatives of the child to provide those persons with specific information and explanation of various options to participate in placement of a child.
6. Participation in school extracurricular activities, community events, and religious practices.
7. Communication with the biological parents if the child placed in foster care receives any immunizations and whether any additional immunizations are needed if the child will be transitioning back into a home with his or her biological parents.
8. Establishing and having access to a bank or savings account in accordance with State laws and federal regulations.
9. Obtaining identification and permanent documents, including a birth certificate, social security card, and health records by the age of 16, to the extent allowed by federal and State law.
10. The use of appropriate communication measures to maintain contact with siblings if the child placed in foster care is separated from his or her siblings.
11. Meaningful participation in a transition plan for those phasing out of foster care, including participation in family team, treatment team, court, and school meetings.

The rights contained within this law (as enumerated above) support and strengthen the rights of children in foster care already provided under North Carolina Administrative Code 10A 70E .1101. (<http://reports.oah.state.nc.us/ncac/title%2010a%20%20health%20and%20human%20services/chapter%2070%20-%20children%27s%20services/subchapter%20e/10a%20ncac%2070e%20.1101.pdf>)

If you have any questions or concerns about this information, please contact your local Children's Program Representative.

Sincerely,

A handwritten signature in blue ink that reads "Kevin Kelley". The signature is written in a cursive style with a large, prominent "K" at the beginning.

Kevin Kelley, Section Chief
Child Welfare Services

CWS-15-2013

CC: Wayne E. Black
Child Welfare Services Team Leaders