

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 163  
Rules and Operations of the Senate Committee Substitute Adopted 10/3/01  
House Committee Substitute Favorable 9/4/02  
House Committee Substitute #2 Favorable 9/26/02**

Short Title: LEAs and Group Homes.

(Public)

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Sponsors:

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Referred to:

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February 19, 2001

A BILL TO BE ENTITLED

1  
2 AN ACT TO IMPLEMENT THE RECOMMENDATIONS OF THE LEGISLATIVE  
3 RESEARCH COMMISSION'S STUDY COMMITTEE ON GROUP HOMES TO  
4 ADDRESS THE NEEDS OF LOCAL SCHOOL ADMINISTRATIVE UNITS IN  
5 WHICH GROUP HOMES FOR CHILDREN ARE LOCATED.

6 The General Assembly of North Carolina enacts:

7       **SECTION 1.(a)** Section 21.60(g) of S.L. 2001-424 reads as rewritten:

8       **"SECTION 21.60.(g)** The Department of Health and Human Services, in  
9 conjunction with the Department of Juvenile Justice and Delinquency Prevention, the  
10 Department of Public Instruction, and other affected agencies, shall report on the  
11 following Program information:

- 12       (1) The number and other demographic information of children served.  
13       (2) The amount and source of funds expended to implement the Program.  
14       (3) Information regarding the number of children screened, specific  
15 placement of children including the placement of children in programs  
16 or facilities outside of the child's home county, and treatment needs of  
17 children served.  
18       (4) The average length of stay in residential treatment, transition, and  
19 return to home.  
20       (5) The number of children diverted from institutions or other out-of-home  
21 placements such as training schools and State psychiatric hospitals and  
22 a description of the services provided.  
23       (6) Recommendations on other areas of the Program that need to be  
24 improved.  
25       (7) Other information relevant to successful implementation of the  
26 Program.

1           (8) A method of identifying and tracking children placed outside of the  
2           family unit in group homes or therapeutic foster care home settings."

3           **SECTION 1.(b)** The Department of Health and Human Services, in  
4 conjunction with the Department of Juvenile Justice and Delinquency Prevention, the  
5 Department of Public Instruction, and other affected agencies, shall submit a report on  
6 April 1, 2003, on the method of identifying and tracking children placed outside of the  
7 family unit in group homes or therapeutic foster care home settings to the House of  
8 Representatives Appropriations Subcommittee on Health and Human Services, the  
9 Senate Appropriations Committee on Health and Human Services, and the Fiscal  
10 Research Division.

11           **SECTION 2.** G.S. 115C-140.1(a) reads as rewritten:

12           "(a) Notwithstanding the provisions of any other statute and without regard for the  
13 place of domicile of a parent or guardian, the cost of a free appropriate public education  
14 for a child with special needs who is placed in or assigned to a group home, foster home  
15 or other similar facility, pursuant to State and federal law, shall be borne by the local  
16 board of education in which the group home, foster home or other similar facility is  
17 located. However, the local school administrative unit in which a child is domiciled  
18 shall transfer to the local school administrative unit in which the institution is located an  
19 amount equal to the actual local cost in excess of State and federal funding required to  
20 educate that child in the local school administrative unit for the fiscal year. Nothing in  
21 this section obligates any local board of education to bear any cost for the care and  
22 maintenance of a child with special needs in a group home, foster home or other similar  
23 facility."

24           **SECTION 3.** The State Board of Education shall provide for a local school  
25 administrative unit to request funds from the Group Homes Program for Children with  
26 Disabilities if a child assigned to that unit was not in that unit's April headcount for  
27 exceptional children for the previous school year, even if the local school administrative  
28 unit received Group Homes Program funds for that child for a portion of the preceding  
29 school year.

30           **SECTION 4.** Section 1 of this act becomes effective January 1, 2003.  
31 Sections 2 and 3 of this act become effective July 1, 2003. The remainder of this act is  
32 effective when it becomes law.