

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

SESSION LAW 2009-408  
SENATE BILL 969

AN ACT AMENDING THE POLICY OF NORTH CAROLINA REGARDING THE PROTECTION OF CHILDREN'S WELFARE UNDER THE LAWS PERTAINING TO CHILD PLACING AND CARE.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 131D-10.1 reads as rewritten:

**"§ 131D-10.1. Purpose.**

It is the policy of this State to strengthen and preserve the family as a unit consistent with a high priority of protecting children's welfare. When a child requires care outside the family unit, it is the duty of the State to assure that the quality of substitute care is as close as possible to the care and nurturing that society expects of a family. However, the State recognizes there are instances when protecting a child's welfare outweighs reunifying the family unit, and as such, the care of residential care facilities providing high quality services that include meeting the children's educational needs as determined by the Department of Health and Human Services, Division of Social Services can satisfy the standard of protecting a child's welfare, regardless of the child's age, particularly when the sibling groups can be kept intact.

The purpose of this Article is to assign the authority to protect the health, safety and well-being of children separated from or being cared for away from their families."

**SECTION 2.** The Division of Social Services of the Department of Health and Human Services shall revise its rules to reflect the policy changes under G.S. 131D-10.1, as enacted in Section 1 of this act.

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

In the General Assembly read three times and ratified this the 27<sup>th</sup> day of July, 2009.

s/ Walter H. Dalton  
President of the Senate

s/ Joe Hackney  
Speaker of the House of Representatives

s/ Beverly E. Perdue  
Governor

Approved 2:10 p.m. this 5<sup>th</sup> day of August, 2009

