

10A NCAC 70I .0405 PERSONNEL POSITIONS

(a) Executive Director. There shall be a full-time executive director for an agency with one or more facilities licensed for 20 or more children. At a minimum, there shall be a part-time executive director for an agency with one or more facilities licensed for less than 20 children.

(b) The executive director shall meet the requirements of a Social Services Program Administrator I as defined by the North Carolina Office of State Human Resources. A copy of these requirements, which are hereby incorporated by reference, including subsequent amendments and editions, can be found at: <https://oshr.nc.gov/state-employee-resources/classification-compensation/job-classification>. The college or university degree shall be from a college or university listed at the time of the degree in the Higher Education Directory, which is incorporated by reference, including subsequent amendments and editions. This information can be purchased from Higher Education Publications, Inc. for a cost of one hundred and twenty five dollars (\$125.00) at: <http://www.hepinc.com>.

(c) The executive director shall:

- (1) be responsible for the general management and administration of the residential child-care facility in accordance with policies established by the governing body and licensing requirements;
- (2) explain licensing standards, residential child-care standards, and the residential child-care facility's services to the governing body, the facility's constituency, other human service agencies, and the public;
- (3) initiate and carry out the program of residential child-care as approved by the governing body;
- (4) report to the governing body on all phases of operation at least quarterly;
- (5) delegate authority and responsibility to staff qualified to ensure the maintenance of the residential child-care facility's operations;
- (6) establish and oversee fiscal practices and present the annual operating budget and quarterly reports to the governing body;
- (7) evaluate, at least annually, the training needs of the staff and plan and implement staff training and consultation to address identified needs;
- (8) employ and discharge staff and meet on a regular basis with management staff to review, discuss, and formulate policies and procedures;
- (9) supervise staff who report directly to the executive director; and
- (10) conduct an annual individual written evaluation of each staff member who reports directly to the executive director. This evaluation shall contain both a review of job responsibilities and goals for future job performance.

(d) Clerical, Maintenance, and Other Support Personnel. The residential child-care facility shall employ or contract personnel to perform all clerical, support, and maintenance duties.

(e) Business and Financial Personnel. The residential child-care facility shall employ or contract personnel to perform all business, accounting, and financial functions.

(f) Direct Care Service Personnel. Any staff member who assumes the duties of direct care service personnel in the living unit shall comply with all the standards for direct care services personnel in the living unit.

(1) Direct care service personnel shall:

- (A) have a high school diploma or GED;
- (B) complete a medical history form prior to assuming the position: The medical history form shall be signed and dated by the staff member and contain the name, contact information, date of birth, health history, and statement of health. A copy of the medical history form ("Medical History Form" DSS-5017) can be obtained from the Division or found on the Division's website at <https://www.ncdhhs.gov/divisions/dss>;
- (C) have a medical examination by a licensed medical provider 12 months prior to assuming the position and biennially thereafter. This report shall include a statement indicating the presence of any communicable disease that may pose a risk of transmission in the residential child-care facility. After the initial examination, the cost of the medical examinations as required by licensure shall be at the expense of the facility;
- (D) have a TB skin test or chest x-ray, unless the medical provider advises against this test, prior to assuming the position; and
- (E) be 21 years of age.

(2) Standards for direct care service personnel:

- (A) There shall be one direct care staff personnel assigned to every six children during waking hours and one direct care staff personnel assigned to every ten children during overnight hours.

- (B) A residential child-care facility shall ensure that a staff member certified in cardiopulmonary resuscitation (CPR) and first-aid, such as those provided by the American Red Cross, the American Heart Association, or equivalent organizations, is always available to the children in care. The residential child-care facility shall ensure that direct care service personnel shall, within the first 30 days of employment, successfully complete certification in first-aid, CPR, and universal precautions provided by either the American Heart Association, the American Red Cross, or equivalent organizations approved by the Division of Social Services. Division staff shall determine that an organization is substantially equivalent if the organization is already approved by the Department or meets the same standard of care as the American Heart Association or the American Red Cross. First-aid, CPR, and universal precautions training shall be renewed as required by the American Heart Association, the American Red Cross, or equivalent organizations. "Successfully completed" is defined as demonstrating competency, as evaluated by the instructor who has been approved by the American Heart Association, the American Red Cross, or other organizations approved by the Division of Social Services to provide first-aid, CPR, and universal precautions training. Training in CPR shall be appropriate for the ages of children in care. Documentation of successful completion of first-aid, CPR, and universal precautions shall be maintained by the agency. The Division shall not accept web-based trainings for certification in first-aid, CPR, or universal precautions.
- (C) A residential child-care facility shall ensure that direct care service personnel receive supervision and training in the areas of child development, permanency planning methodology, group management, preferred discipline techniques, family relationships, human sexuality, health care and socialization, leisure time and recreation. In addition, the residential child-care facility shall provide training to direct care service personnel in accordance with the needs of the client population, including training in child sexual abuse. Direct care service personnel shall receive 24 hours of continuing education annually.
- (D) A residential child-care facility shall ensure that direct care service personnel receive supervision in food preparation and nutrition when meals are prepared in the living unit.
- (E) Any duties other than direct care services duties assigned to direct care service personnel shall be specified in writing and assigned in accordance with the residential child-care program.
- (3) Direct care service supervisory personnel shall have a high school diploma or GED and be 21 years of age.
- (4) Standards for direct care service supervisory personnel:
 - (A) There shall be at least one supervisor for every 15 direct care service personnel.
 - (B) Supervisory staff shall be selected on the basis of the knowledge, experience, and competence required to manage direct service personnel.
 - (C) Direct care service supervisory personnel shall receive 24 hours of continuing education annually.
- (g) Social work supervisors or case manager supervisors shall be employed by the residential child-care facility to supervise, evaluate and monitor the work and progress of the social work or case manager staff.
 - (1) Social work supervisors or case manager supervisors shall meet the requirements of a Social Work Supervisor II as defined by the North Carolina Office of State Human Resources. A copy of these requirements, which are hereby incorporated by reference, including subsequent amendments and editions, can be found at <https://oshr.nc.gov/state-employee-resources/classification-compensation/job-classification>. The college or university degree shall be from a college or university listed at the time of the degree in the Higher Education Directory. Social work supervisors or case manager supervisors shall receive 24 hours of continuing education annually.
 - (2) Supervision of social workers or case managers shall be assigned as follows:

Supervisors Required	Social Workers or Case Managers Employed
0	0-4 (executive director serves as social

	work or case manager supervisor)
1	5
2	6-10
3	11-15
There shall be one additional supervisor for every one to five additional social workers or case managers.	

(h) Social workers or case managers shall be employed by the residential child-care facility to provide social work or case management services to the children in care and their families in accordance with the out-of-home family services agreement.

- (1) Social workers or case managers shall meet the requirements of a Social Worker II as defined by the North Carolina Office of State Human Resources. A copy of these requirements, which are hereby incorporated by reference, including subsequent amendments and editions, can be found at <https://oshr.nc.gov/state-employee-resources/classification-compensation/job-classification>. The college or university degree shall be from a college or university listed at the time of the degree in the Higher Education Directory. Social workers or case managers shall receive 24 hours of continuing education annually.
- (2) There shall be at least one social worker or case manager assigned for every 15 children.
- (3) A residential child-care facility shall ensure that social workers or case managers receive supervision and training in the areas of child development, permanency planning methodology, group dynamics, family systems and relationships, and child sexual abuse.
- (4) Any duties other than social work or case management duties assigned to staff employed as social workers or case managers shall be specified in writing and assigned in accordance with the residential child-care program.

*History Note: Authority G.S. 131D-10.5; 143B-153;
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