

## SECTION .0300 - ORGANIZATION AND ADMINISTRATION

### 10A NCAC 70I .0301 GOVERNANCE

- (a) A private residential child-care facility shall operate under articles of incorporation that are filed with the Department of the Secretary of State ([www.secretary.state.nc.us](http://www.secretary.state.nc.us)). A private residential child-care facility shall submit a copy of the articles of incorporation to the licensing authority.
- (b) A private residential child-care facility shall have a governing body that exercises authority over and has responsibility for its operation, policies and practices. The residential child-care facility shall notify the licensing authority of the type and structure of the governing body.
- (c) In the case of non-profit or for-profit corporations, the governing body shall:
- (1) be composed of no fewer than six members to include men and women;
  - (2) provide for a system of rotation for board members, for limitation to the number of consecutive terms a member may serve;
  - (3) establish standing committees;
  - (4) provide orientation for new members; and
  - (5) meet at least four times annually with a quorum present.
- (d) Public residential child-care facilities operated by governmental agencies shall be governed by appointed officials of a governmental unit.
- (e) A residential child-care facility shall submit to the licensing authority a list of members of the governing body. This list shall indicate the name, address and terms of membership of each member and shall identify each officer and the term of that office.
- (f) A residential child-care facility shall permanently maintain meeting minutes of the governing body and committees.
- (g) The governing body, in the event of the closing of the residential child-care facility, shall develop a plan for the retention and storage of client records. The specifics of this plan shall be submitted to the licensing authority before the actual closing of the residential child-care facility.

*History Note: Authority G.S. 131D-10.5; 143B-153;  
Eff. July 1, 1999 (See S. L. 1999, c. 237, s. 11.30);  
Amended Eff. June 1, 2010; November 1, 2009; October 1, 2008;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 5, 2016.*