

10A NCAC 70I .0403 PERSONNEL FILE

A residential child-care facility shall maintain a personnel file for each employee (full-time, part-time and contracted) which includes the following:

- (1) application for employment including the record of previous employment;
- (2) documentation of at least three references;
- (3) applicable position specific credentials or certifications (prior to employment certified college transcripts shall be obtained for positions requiring college degrees);
- (4) medical information required for each staff by licensure standards (initial and biennial medical examinations, initial TB test and medical history form);
- (5) signed statement indicating the employee's understanding of and willingness to comply with confidentiality agreement requirements;
- (6) signed statement that the employee has no criminal convictions that would adversely affect his or her capacity and ability to provide care, safety and security for the children in residence;
- (7) criminal record checks certified by the Clerk of Superior Court;
- (8) results of the search of the North Carolina Sex Offender and Public Protection Registry;
- (9) results of the search of the North Carolina Health Care Personnel Registry (pursuant to G.S. 131E-256);
- (10) results of the search of the Responsible Individuals List as defined in 10A NCAC 70A .0102 which indicates the employee has not had child protective services involvement resulting in a substantiation of child abuse or serious neglect;
- (11) a signed statement that the employee has not abused or neglected a child or has been a respondent in a juvenile court proceeding that resulted in the removal of a child or has had child protective services involvement that resulted in the removal of a child;
- (12) signed statement that the employee has not abused, neglected or exploited a disabled adult;
- (13) signed statement that the employee has not been a domestic violence perpetrator;
- (14) record of completed orientation;
- (15) log of training;
- (16) written approval letter from executive director or his or her designee authorizing employee to administer physical restraint holds, if applicable;
- (17) annual performance evaluations;
- (18) documentation of disciplinary actions;
- (19) documentation of grievances filed;
- (20) employee's starting and termination dates;
- (21) reason for termination;
- (22) signed and dated release or notation of employee's waiver of release for future employment references; and
- (23) documentation of a driving record check, if applicable.

History Note: Authority G.S. 131D-10.5; 131D-10.6; 143B-153; Eff. July 1, 1999 (See S.L. 1999, c.237, s. 11.30); Amended Eff. October 1, 2008; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 5, 2016.