

SUBCHAPTER 70J - MINIMUM LICENSING STANDARDS FOR SPECIALIZED RESIDENTIAL CHILD CARE PROGRAMS

SECTION .0100 - CHILDREN'S FOSTER CARE CAMPS

10A NCAC 70J .0101 APPLICABILITY

In addition to the rules in 10A NCAC 70I .0100 through .0615, the rules in this Section apply to all persons licensed or seeking licensure for a children's foster care camp as defined in 10A NCAC 70I .0201.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Eff. July 1, 1999 (See S. L. 1999, c.237, s.1130);
Amended Eff. November 1, 2009; October 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.*

10A NCAC 70J .0102 ADMISSION CRITERIA

In order to be considered for admission into a foster care camp, a child shall meet the following criteria:

- (1) be between the ages of eight and 17 years old;
- (2) be physically able to participate in a camping experience; and
- (3) voluntarily consent to admission, recognizing/understanding the need for a therapeutic camping experience.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Eff. July 1, 1999 (See S. L. 1999, c.237, s.11.30);
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.*

10A NCAC 70J .0103 PERSONNEL

(a) Direct service personnel and supervisory personnel, in addition to supervision and training specified in 10A NCAC 70I .0405(f)(2)(B), (C) and (4)(C), shall be provided supervision and training in the following areas:

- (1) rescue evacuation, updated every three years; and
- (2) basic emergency water safety course, with certification documented in the camp files and updated every three years.

(b) There shall be a minimum of two counselors for each 10 children participating in activities involving water, including swimming, boating, canoeing, and rafting.

*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. October 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.*

10A NCAC 70J .0104 SERVICE PLANNING

Each child shall have a medical assessment, within 60 days prior to admission, documenting the child's ability to participate in the activities of a therapeutic camping experience in an outdoor setting.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Eff. July 1, 1999 (See S. L. 1999, c.237, s.11.30);
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.*

10A NCAC 70J .0105 SERVICE DELIVERY

(a) An itinerary shall be on file at camp for any off-campus activity lasting longer than 24 hours. The itinerary shall include participants' names, daily schedule, list of check-in points, selected routes and telephone numbers of emergency resources along each route (sheriffs, hospitals, rescue squads).

(b) Education.

- (1) Each camp shall provide an alternative education experience and the educational program shall comply with the special education requirements of the Department of Public Instruction; or, each camp must be registered as and meet the requirements for a non-public school.
- (2) Education in a camp setting must be monitored and evaluated pursuant to either public or non-public school educational testing requirements to determine the child's achievement level.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Eff. July 1, 1999 (See S. L. 1999, c.237, s.11.30);
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.*

10A NCAC 70J .0106 BUILDINGS AND GROUND EQUIPMENT

(a) Facilities.

- (1) All sleeping units must provide at least the following space:
 - (A) 50 square feet per person;
 - (B) 30 inches between sides of beds.
- (2) All camper sleeping facilities shall be limited to one level structures.
- (3) Any structure, sleeping or otherwise, with an occupancy of more than 12 persons, including staff, shall have at least two separate and independent means of exit.
- (4) Open flame lighting shall not be used in sleeping shelters for lighting and heating.

(b) Grounds:

- (1) There shall be potable water available at each camp site.
- (2) At each children's camp there shall be provided a minimum of:
 - (A) one shower head for each 20 children;
 - (B) one flush toilet for each 20 children;
 - (C) one urinal for each 30 male children (urinals may not be substituted for flush toilets);
 - (D) one handwashing facility, adjacent to toilet facilities, for each 20 children; and
 - (E) a wilderness latrine facility approved pursuant to the rules of the Commission for Health Services.
- (3) The hot water temperature at all fixtures used by residents shall be maintained at a minimum of 100 degrees F (38 degrees C) and shall not exceed 116 degrees F (46.7 degrees C).

(c) Equipment:

- (1) Laundry facilities or equipment shall be available at each camp for all staff and children.
- (2) Gasoline, kerosene, and other flammable materials shall be stored in covered safe containers, labeled for contents.
- (3) Power tools:
 - (A) All power tools, including mowers and trimmers, must have safety devices and be used according to manufacturer's instruction, maintained in good repair, and used only by those persons trained and experienced in their safety.
 - (B) Campers shall receive safety instructions before using such equipment.
 - (C) When campers are using such equipment, a trained and responsible adult must be present.
 - (D) When not in use, all power tools shall be stored in a locked place not occupied by children.
- (4) Fire extinguishers shall be available in all areas so designated by fire safety officials, shall be properly charged and shall have current inspection labels.

*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. September 1, 2011; July 18, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.*

SECTION .0200 - EMERGENCY SHELTER CARE PROGRAM

10A NCAC 70J .0201 APPLICABILITY

In addition to the rules in 10A NCAC 70I .0100, .0200, .0300, .0400, .0501, .0600 and .0900, the rules in this Section apply to all persons licensed or seeking licensure for an emergency shelter care program as defined in 10A NCAC 70I .0201.

*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. October 1, 2008; July 18, 2002;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.*

10A NCAC 70J .0202 ADMISSION PROCEDURES

- (a) At the time of admission, a residential child care facility shall obtain the following information:
- (1) the name, sex, race, birth date and birth place of the child;
 - (2) when available, the parents' names, addresses, telephone numbers, birth dates, races, religion and marital status;
 - (3) when available, the names, addresses and telephone numbers of siblings and other relatives; a record of the child's prior placements with names of care givers, addresses and dates of care; and
 - (4) if the child has had prior placements, the names of care-givers, addresses and dates of prior placements.
- (b) Within 72 hours of admission, the facility shall obtain the following:
- (1) a written agreement for admission from the parents, guardian or legal custodian;
 - (2) consent for release of information;
 - (3) consent for emergency medical treatment; and
 - (4) consent for family time/visitation.
- (c) Within two weeks of admission, the facility shall obtain the following:
- (1) a medical examination report from a licensed medical provider which includes a signed statement by the licensed medical provider specifying the child's medical condition and medications prescribed and indicating the presence of any communicable disease which may pose a risk of transmission in the facility; and
 - (2) a social summary from the agency placing the child which includes background information on the child, his/her family, his/her presenting problems, and current circumstances.

*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. October 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.*

10A NCAC 70J .0203 ADMISSION CRITERIA

A residential child care facility shall enter into and obtain a written agreement from the child's parents or guardian, or legal custodian within 72 hours of the child's admission which contains the following:

- (1) a statement documenting the parent's, guardian's or legal custodian's authority to place the child and designating the parent's, guardian's or legal custodian's consent for the child's admission;
- (2) completed application for services that includes demographic information on the child and the child's parents or guardian;
- (3) information which sets forth the role and responsibilities to be performed by the staff in the facility during the child's stay in the program;
- (4) information that specifies the expectations of the parents, guardian or legal custodian during the child's stay in the program;
- (5) specification of the anticipated length of the child's stay; and
- (6) specification of the projected goals for the child's parents or guardian during the child's stay in the program.

*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. October 1, 2008;*

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.

10A NCAC 70J .0204 RECORDKEEPING

Client case record. An individual case record shall be maintained on each child that contains the following:

- (1) written consent for placement;
- (2) documentation of placement authority;
- (3) completed application for services that includes demographic information on the child and the child's family;
- (4) consents for release of information, emergency medical treatment, family time/visitation;
- (5) a medical examination report completed within two weeks after admission unless the child's health status indicates the completion of a medical examination report sooner and copies of subsequent medical examination reports;
- (6) medical records and immunization records;
- (7) intake study and related documents;
- (8) out-of-home family services agreement and biweekly reviews;
- (9) family contact and visitation plan, including type, duration, location both on-site and off-site and frequency, as well as any rationale for restrictions on family involvement. The facility shall maintain documentation of all family time;
- (10) birth certificate or other documentation that verifies the child's birth;
- (11) court orders;
- (12) documentation of medical insurance;
- (13) consents for time-limited, audio-visual recording signed by both the child and parent or guardian , or legal custodian;
- (14) progress notes; and
- (15) discharge summary including date of discharge, time of discharge and the name, address, telephone number, and relationship of the person or agency to whom the child was discharged, a summary of services provided during care, needs which remain to be met and plans for the services needed to meet these goals.

*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. October 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.*

10A NCAC 70J .0205 SERVICE PLANNING

Within one week of admission, an out-of-home family services agreement shall be developed and reviewed every other week, thereafter, by the shelter home staff, parents, guardian, or legal custodian of the child. The out-of-home family services agreement shall include:

- (1) the expectation and goals to be reached by the child while in care;
- (2) the tasks and activities of the shelter home staff to meet the needs of the child while in care;
- (3) the tasks and activities of the parents, guardian or legal custodian to meet the needs of the child while in care;
- (4) the projected discharge plan;
- (5) the projected length of stay; and
- (6) the signatures of the shelter home staff, the child's parents, guardian or legal custodian and child, if 12 years of age and older.

*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. October 1, 2008;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. October 3, 2017.*

10A NCAC 70J .0206 DISCHARGE SERVICES

(a) A residential child-care facility shall establish a policy which specifies that no child shall remain in care longer than 90 days. An exception may be made to this policy if the facility has a policy which specifies the length of time and the circumstances by which a child will remain in shelter care longer than 90 days.

(b) Prior to discharge, the staff of the residential child-care facility shall develop a plan with the child to determine if follow-up services will be provided, the type of services to be provided and the timeframe for conducting these services.

*History Note: Authority G.S. 131D-10.5; 143B-153;
Eff. July 1, 1999 (See S. L. 1999, c.237, s.11.30);
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