

### **10A NCAC 97C .0302 REQUIREMENTS FOR CERTIFICATION OF ELIGIBILITY**

Eligible agencies as defined in Rule .0106 of this Subchapter, shall submit an Application for Certification of Eligibility which shall contain three copies of the following documents:

- (1) Letter of Application. The letter of application must be signed by the chairman of the board of directors of the agency and include a statement that the enclosed documents reflect the current status, policies, and procedures of the agency.
- (2) Certification of Board.
  - (a) Composition and Powers. The agency must certify that the composition of the board of directors meets the requirements set forth in Rule .0109 of this Subchapter.
  - (b) The agency must also certify that agency's charter or articles of incorporation and by-laws meet the requirements set forth in Rule .0110 of this Subchapter. Copies of the articles of incorporation and by-laws must be submitted for review by the Office.
- (3) Fidelity Bond Coverage. The agency shall provide a copy of the fidelity bond(s) which shall meet the requirements of Rule .0403 of this Subchapter.
- (4) Affirmative Action Policy and Programs. The agency's affirmative action policy and programs shall meet the requirements set forth in Rule .0603 of Subchapter 97B.
- (5) Civil Rights. The agency must complete the Assurance of Compliance with Civil Rights Laws and Regulations form and meet other requirements set forth in Section .0600 of Subchapter 97B.
- (6) Personnel Policy and Procedures.
  - (a) The agency's personnel policy and procedures must meet requirements set forth in Rule .0702 of Subchapter 97B.
  - (b) The names and job descriptions of the executive director and fiscal officer must be submitted with the certification documents. No one person shall serve as both executive director and fiscal officer. Additionally, grant recipient shall notify the Office within 15 days when changes occur in personnel assigned these duties.
- (7) Certification of Accounting System. The agency must submit a statement from a Certified Public Accountant which indicates that the organization's Financial Management System meets the requirements of Section .0400 of this Subchapter.
- (8) Acceptance of New County(ies). A community action agency which incorporates a county(ies) in its Community Anti-Poverty Plan that was not served previously by the agency's CSBG program must submit:
  - (a) A resolution from the Board of County Commissioners of each new county to be served stating that the Board of County Commissioners wishes to become affiliated with the agency (named); and
  - (b) A resolution from the Board of Directors of the community action agency stating that they wish to serve the new county(ies) and that the board will meet all the necessary legal requirements, including the citizen participation requirements as set forth in Rule .0111 of this Subchapter.

*History Note: Authority G.S. 143B-10; 143B-276; 143B-277; 143-323(d); Eff. December 1, 1983; Amended Eff. October 1, 1984; Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. April 25, 2015.*