

CHAPTER 67 – SOCIAL SERVICES - PROCEDURES

SUBCHAPTER 67A – GENERAL ADMINISTRATION

SECTION .0100 - ADMINISTRATION

10A NCAC 67A .0103 STANDARDS FOR OFFICE SPACE AND FACILITIES

The purpose of this Rule is to establish standards for office space, equipment and facilities for county departments of social services including agency suboffices and special centers that will adequately and effectively meet program, staff and client needs. These requirements are supplementary to, and do not replace, Federal Confidentiality of Information requirements and any provisions in State, county or municipal building codes.

- (1) Identification of Office. All social services offices shall be appropriately marked and identifiable in the community as a social services agency:
 - (a) Each office shall be identified by an outside sign clearly visible from the road or street.
 - (b) If the office is housed within a public building occupied by other agencies or units of government, the agency shall be listed on a standard building directory in a manner similar and equal to that accorded every other agency.
- (2) Requirements for Physical Plant.
 - (a) Buildings housing social services agencies shall be certified by competent authority to be of sound and substantial construction and in compliance with state and local fire and building codes.
 - (b) All buildings for which site clearance began before June 3, 1977, shall meet the equal access provisions specified in Section 504 of the Rehabilitation Act of 1973 as amended.
- (3) Requirements for Space. Adequate office space shall be provided for each employee. The following guidelines show the acceptable minimum range of space which will vary due to position function, special equipment and furniture needs, fixed existing conditions or the availability of separate private interviewing rooms. The staff category descriptions and recommended minimum square footages of space range are shown below:

(a) Staff Who Interview Clients In Their Offices	80
(b) Supervisors	80
(c) Management	96
(d) Staff Members Not Required to Conduct Interviews In Their Offices	56
(e) Separate Private Interviewing Rooms	Adequate for Function
- (4) Requirements for Privacy:
 - (a) Private offices shall be required for the county director and each supervisor.
 - (b) Private offices or interviewing room shall be available to all staff who interview clients.
- (5) Requirements for Waiting Room and Reception Area. The principal location of each county department of social services shall be arranged to provide a waiting room of sufficient size to accommodate the people availing themselves of its use each day. A separate area is required for the receptionist.
- (6) Requirement for Conference Room. A conference or staff training room with seating capacity adequate to accommodate the average number of people usually in attendance shall be provided for use in meetings and training sessions.
- (7) Requirement for Storage Space and Confidentiality of Records. Sufficient space shall be provided for conveniently locating files and records, supplies, and forms:
 - (a) Files and supplies shall be accessible and convenient to staff responsible for their maintenance, use and protection.
 - (b) Files and records shall be adequately protected from fire, other damage and theft.
 - (c) Access to confidential information shall be limited to authorized personnel only.
 - (d) Space shall be available for storing janitorial and maintenance supplies and equipment used in maintaining the building and grounds.
- (8) Requirement to Provide Office Space for Persons Who Periodically Visit the Agency on DSS Related Business. Office space shall be provided to persons who periodically visit the agency on DSS related business.

- (9) Requirement for Equipment. Furnishings and equipment shall be provided to enable staff to adequately perform its duties.

*History Note: Authority G.S. 108A-80; 143B-153; 45 C.F.R. 205.170(a)(b);
Eff. April 1, 1978;
Amended Eff. May 1, 1990; May 1, 1988.*

10A NCAC 67A .0105 ADMINISTRATION AND AGENCY COMPLIANCE

(a) Federal and state participation in the cost of administration may not be claimed when agencies are not in compliance with the standards set forth in 10A NCAC 67A .0103 or when the county fails to submit an acceptable plan for compliance within 90 days of notification of non-compliance.

(b) The regional director or his designated representative shall evaluate each county department of social services periodically, but not less than every three years, to determine compliance with the established standards, using form DSS-1414 for each location. The evaluation shall be triggered by information known to the Regional Office, such as changes in program regulations or staffing patterns which would affect compliance, or complaints concerning compliance issues. A county department of social services shall be deemed to be in compliance until the Regional Director determines, after evaluation, that the agency is not in compliance.

(c) At the conclusion of an evaluation, the principal reviewer shall meet with the director of the county department to discuss the findings. Following this exit conference, the principal reviewer shall prepare a written report and transmit the report to the Regional Director. If the findings of the review indicate the county department is in compliance, the Regional Director will, within 30 days of the date of the evaluation, forward a copy of the administrative review report to the agency director, the local social services board chairman, the chairman of the local board of county commissioners and the county manager under a transmittal letter indicating the agency's compliance. If the county department is not in compliance, the following steps shall be taken within 30 days of the date of the evaluation:

- (1) The regional director shall send a copy of the evaluation report to the county director, the local social services board chairman, the chairman of the local board of county commissioners and the county manager:
 - (A) citing the specific findings of non-compliance and what is required to come into compliance;
 - (B) notifying the agency that it has 90 days from the receipt of the report to come into compliance in these areas or to develop and submit to the division a corrective action plan. The division is responsible for providing consultation and technical assistance regarding the areas of non-compliance to the local agency upon request; and
 - (C) notifying the agency that all federal and state administrative funds will be withheld should the county fail to comply or submit an acceptable plan for compliance within 90 days of notification of non-compliance.
- (2) By the end of the 90 day notice period, the county department shall achieve compliance or submit a corrective action plan to the division. If the corrective action plan contains provision for construction of new facilities, construction plans, which will require the approval of the division director, must be submitted prior to construction.
- (3) In the event that the county department submits a corrective action plan to the division within the 90 day notice period, the Regional Director shall review the corrective action plan to ensure that it addresses each specific finding of non-compliance, and that the implementation of the corrective action plan can be expected to bring the agency into compliance. If construction plans are submitted as part of corrective action, the Regional Director will obtain the approval of the division director.
- (4) Within 30 days after receipt of the plan, the Regional Director shall either approve the plan as submitted or indicate how the county department can amend the corrective action plan in order to obtain approval. After a corrective action plan has been approved, the Regional Director shall monitor the agency's progress towards compliance during the corrective action phase, and inform the agency, the local social services board chairman, the chairman of the local board of county commissioners and the county manager of its findings in writing. If the findings indicate that the agency is not making sufficient progress towards compliance in accordance with its corrective action plan, the Regional Director shall so notify the agency, the local social services board chairman and the chairman of the local board of county commissioners in writing that the agency has an additional 60 days from receipt of the notice to achieve compliance. If the agency does not achieve compliance or make sufficient progress towards compliance in accordance with its corrective action plan within the additional 60 day

period, withholding shall commence in accordance with the procedures set forth in Paragraph (c) (5) of this Rule.

- (5) In the event that the county department of social services fails to submit a corrective action plan within the 90-day notice period, the division director shall, within 30 days of the above referenced notification of county authorities, recommend to the secretary the withholding of all federal and state administrative funds. If the secretary concurs with the division director's recommendation, the secretary will, within 30 days of the division director's recommendation, notify the agency director, the local social services board chairman, the chairman of the local board of county commissioners and the county manager of the decision to withhold funds. The withholding of these funds shall be retroactive to the date of the original transmittal letter signed by the Regional Director notifying the agency of non-compliance and shall continue until the requirement for a compliance plan is met. If the county department appeals the decision under the procedures outlined in Paragraph (d) of this Rule, the action to withhold funds will be deferred until the conclusion of the hearing and any subsequent appeals.

(d) A county department of social services which is not in compliance and has been notified by the secretary of the decision to withhold funds, may appeal. If an appeal is desired, the county is required under G.S. 150B-23(a), as amended by Chapter 878 of the 1987 North Carolina Session Laws, to file hearing requests for Department of Human Resources matters with the Office of Administrative Hearings.

History Note: Authority G.S. 143B-153; 150B-23(a); 45 C.F.R. 205-170(b);
Eff. April 1, 1978;
ARRC Objection March 17, 1988;
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