

Proposed Rule	Comment	Notes – References are to “Title 9_911 Board Rules_RRC comments” document
09 NCAC 06C .0103 Administration (generally)	“where it talks about scope”, saying again that this seems to be an important thing because it’s mentioned three times	.0103 removed per RRC as unnecessary (Oral comment 8/28/15)
09 NCAC 06C .0103(a)(1) Administration	Standards established in Section 2 shall cover the installation, performance, operation <u>standards</u> , and maintenance of PSAPs and the associated emergency communication systems.	.0103 removed per RRC as unnecessary
09 NCAC 06C .0103(b)(1) Administration	To specify operations — <u>performance standards</u> , facilities, and communications systems that receives emergency 911 calls from the public.	.0103 removed per RRC as unnecessary
09 NCAC 06C .0107 PSAP HEARINGS	<i>This section says:</i> Requests for hearings shall be made in writing to the Executive Director and Chair of the Board and shall be filed within 30 calendar days after the aggrieved party knows or <i>should have known</i> of the facts giving rise to the request. <i>I suggest that you eliminate the "should have known" language regarding sanctions and allow us a 60 or 90 day window to appeal.</i>	Reorganized – see .0109 The language is typical and repeats the legal standard of action when a party knew or should have known that the party had cause to do something.
09 NCAC 06C .0107(b) PSAP HEARINGS	Requests for hearings shall be made in writing to the Executive Director and Chair of the Board and shall be filed within 30 calendar days after the aggrieved party knows or should have known of the facts giving rise to the request. A request for hearing is considered filed when physically received by the Executive Director or Chair. Requests filed after the 30 calendar day period shall not be considered. To expedite handling of requests, the envelope should be labeled “911 Funds Request for Hearing.” <u>clearly marked as an appeal and</u> The written request shall include as a minimum the following:	Reorganized – see .0109 (Repeated as an oral comment 8/28/15)
09 NCAC 06C .0107(c) PSAP HEARINGS	Any additional information requested by the Board shall be submitted within the time periods established (<i>should be specific</i>) in order to expedite consideration of the request.	Reorganized – see .0109 Amended for time per RRC suggestion. (Repeated as an oral comment 8/28/15)

09 NCAC 06C .0107(d) PSAP HEARINGS	A decision on a request shall be made by the Board as expeditiously as possible (<i>should be specific</i>) after receiving all relevant requested information.	Reorganized – see .0109 Amended to 120 days per RRC suggestion.
09 NCAC 06C.0203 TERMINATION AND SUSPENSION OF 911 FUND DISTRIBUTIONS	Commenter states this rule is the same as .0208(a)(1)	Sentence struck based on RRC objection that the provision is superfluous as it repeats a statutory requirement. (Oral comment 8/28/15)
09 NCAC 06C .0204 PSAP REPORTING	The 911 Board must work to reduce the impact of reporting on local staff times. Of all reporting requirements in local government, the 911 reporting is the most cumbersome of all.	
09 NCAC 06C .0206(b)(4) BACK-UP PSAPs	What exactly is the annual reporting requirement? Does that mean you want to know if we utilized it in the last year?	.0206 is substantially revised per RRC suggestions. The reporting obligation is questioned by RRC
09 NCAC 06C.0207 PSAP OPERATIONS AND MANAGEMENT	All operational standards should be removed from the rules. Performance Measures can effectively be utilized to establish quality of service such as the 90% rule, but dictating FTE's and roles imposes on local authority and budgets and is an unfunded, and unnecessary, provision.	
09 NCAC 06C.0207(a)(1, 2) PSAP OPERATIONS AND MANAGEMENT, Personnel	Qualified technical assistance available is not a clear definition. Will this definition change as the 911 board wishes it to over time? What is the definition of available as this can mean on call within a few hours, contacted by phone, or are they expect to be available to help at all times?	
09 NCAC 06C.0207(a)(5) PSAP OPERATIONS AND MANAGEMENT, Personnel	We have a policy detailing controlled access to our PSAP as well as other areas of the department, but this definition does not give us full insight into what will be mandated.	Reorganized to (a)(3) per RRC suggestion. Questioned by RRC.

<p>09 NCAC 06C.0207(a)(6) PSAP OPERATIONS AND MANAGEMENT, Personnel</p>	<p>How will this be monitored? Will PSAP's have to have a document depicting the scope of work each time someone accesses the PSAP with a signature of an employee of the PSAP?</p>	<p>Reorganized to (a)(4) per RRC suggestion.</p>
<p>09 NCAC 06C.0207(a)(8) PSAP OPERATIONS AND MANAGEMENT, Personnel</p>	<p>In a small agency where there may be but one overall supervisor overseeing the day-to-day functions, are we to assume that he/she is consistently "on-call" and subject to recall at any time? And if so, for what reasons? What constitutes are reason for immediate response. In other words, there is a vagueness to this standard that does not afford guidance. But more so, the credentials of the supervisor or lead, in regards to training and ability, is no different than another operator who may not be in that administrative supervisory position. Thus, in times of need, there would never be any problem getting a highly qualified, knowledgeable Telecommunicator 24 hours a day, 7 days a week, 52 weeks per year. Additionally, there is a sworn Communications Supervisor and/or division commander who would be on hand to tend to administrative functions, thus leaving fully certified Telecommunicators to deal with the given issue at hand.</p>	<p>Reorganized to (a)(6) per RRC suggestion. Questioned by RRC</p>
<p>09 NCAC 06C.0207(a)(8) PSAP OPERATIONS AND MANAGEMENT, Personnel</p>	<p>No explanation is given as to what type of certification. Is the certification going to be through Sheriff's standards, APCO, NENA, or all of them or any of these? The mandate of certification can be cost and time prohibitive for centers as the Sheriff's standards cost not only time away from work, but also the cost for a physical. There is also no explanation given as to what is meant by available as this person can be thought to be available by phone to some people while others may think they need to be working within center at all times.</p>	<p>Reorganized to (a)(6) per RRC suggestion. Questioned by RRC</p>
<p>09 NCAC 06C.0207(a)(8) PSAP OPERATIONS AND MANAGEMENT, Personnel</p>	<p>Many PSAPs only have a few telecommunicators on duty at any one time. It is not practical or necessary for the person to be continuously on site. What is the standard for a "lead telecommunicator or supervisor"? Is the board willing to fund these positions? What is the goal of this standard? How will the assessment team determine this? Is</p>	<p>Reorganized to (a)(6) per RRC suggestion. Questioned by RRC</p>

	<p>this going to require additional training? This standard is vague and should be removed.</p>	
<p>09 NCAC 06C.0207(a)(8) PSAP OPERATIONS AND MANAGEMENT, Personnel</p>	<p>We request clarification of the definition of “immediately”. Would an available police supervisor with appropriate training/background meet this standard? It is not practical or necessary for the person to be continuously on site.</p>	<p>Reorganized to (a)(6) per RRC suggestion. Questioned by RRC</p>
<p>09 NCAC 06C.0207(a)(8) PSAP OPERATIONS AND MANAGEMENT, Personnel</p>	<p>One supervisor or lead . . . is available to respond 24/7. If our police supervisor was qualified and trained as a Telecommunicator would they meet the standard? What about their existing level of training? How is “immediately” available going to be defined? <i>We suggest this area needs additional clarification.</i></p>	<p>Reorganized to (a)(6) per RRC suggestion. Questioned by RRC</p>
<p>09 NCAC 06C.0207(a)(8) PSAP OPERATIONS AND MANAGEMENT, Personnel</p>	<p>How will the PSAP report this? Via SOP? Does this mean that a shift supervisor or Lead will have to be on duty at all times or will one or the other being on call suffice?</p>	<p>Reorganized to (a)(6) per RRC suggestion. Questioned by RRC</p>
<p>09 NCAC 06C.0207(a)(8) PSAP OPERATIONS AND MANAGEMENT, Personnel</p>	<p>A lot of PSAPs are only one person, so to have a supervisor on call, what does “immediate” mean? What is the purpose of this standard? What about agencies like his that have police and fire supervisors on staff; is that going to be “readily available”?</p>	<p>Reorganized to (a)(6) per RRC suggestion. Questioned by RRC (Oral Comment 8/28/15)</p>
<p>09 NCAC 06C.0207 (b)(1) PSAP OPERATIONS AND MANAGEMENT, Telecommunicator Qualifications and Training</p>	<p>Commenter finds 207(b)(1) a little bit troubling in its vagueness; it’s not specific, there are no specific standards mentioned, and he’s concerned about how you certify something if you don’t have actual written, defined standards.</p>	<p>Reorganized to .0208 Qualifications and Training Questioned by RRC, questions were substantive and therefore language struck. (Oral comment 8/28/15)</p>
<p>09 NCAC 06C.0207 (b)(1) PSAP OPERATIONS AND</p>	<p>I have grouped these two sections [(1) & (2)] together since they are intertwined. Section (1) speaks of sufficient coverage so that emergency</p>	<p>Reorganized to .0208 Qualifications and Training</p>

<p>MANAGEMENT, Telecommunicator Qualifications and Training</p>	<p>calls are handled as per the Operating Procedures on Page 24. Those procedures are strictly adhered to and monitored continuously. These have been achieved during the times when there was one Telecommunicator on duty. Service and reliability has never suffered and the mandates that <i>ninety (90) percent of emergency 911 calls received on emergency lines shall be answered within ten (10) seconds, and ninety-five (95) percent of emergency 911 calls received on emergency lines shall be answered within twenty (20) seconds, <u>are achieved.</u></i></p> <p>Having Telecommunicators 24 hours a day, 7 days a week, 52 weeks a year is a necessity. However, having two (2) throughout every hour of every day is not an operational need for the compliance of section (1) nor is it cost effective to those smaller agencies. Again, agency size and call volume dictate such mandates. Conversely, I am of the impression that the NC Legislation put a hold on the mandate that was to take effect on January 1, 2013. If this is to go back into effect, are there any provisions that will be made available in order to assist agencies with funding this? It would seem that any changes that may cause added expenditures to the budget, should be appropriated for, by the ruling party that wants to ensure such compliance.</p>	<p>Questioned by RRC, questions were substantive and therefore language struck.</p>
<p>09 NCAC 06C.0207 (b)(1) PSAP OPERATIONS AND MANAGEMENT, Telecommunicator Qualifications and Training</p>	<p>This language also essentially mandates staffing levels without providing funding for it. Who will be responsible for determining this standard? Standards should be sufficiently objective in order to be enforced, this is much too vague. A standard is a document that provides requirements, specifications, guidelines or characteristics that can be used consistently to ensure processes and services are fit for their purpose. This particular standard does not provide those requirements.</p>	<p>Reorganized to .0208 Qualifications and Training Questioned by RRC, questions were substantive and therefore language struck.</p>
<p>09 NCAC 06C.0207 (b)(1) PSAP OPERATIONS AND MANAGEMENT,</p>	<p>This language also essentially mandates staffing levels without providing funding for it.</p>	<p>Reorganized to .0208 Qualifications and Training</p>

<p>Telecommunicator Qualifications and Training</p>	<p>While this is certainly a reasonable goal for most if not all PSAPs, there will be a myriad of factors that could influence the ability to answer calls 90% of the time in under 10 seconds as required in the rules.</p>	<p>Questioned by RRC, questions were substantive and therefore language struck.</p>
<p>09 NCAC 06C.0207 (b)(1) PSAP OPERATIONS AND MANAGEMENT, Telecommunicator Qualifications and Training</p>	<p>Does this mean that they must hold a certifications such as Sheriff's Standards or Priority Dispatch ETC? Or, will in house training suffice for this?</p>	<p>Reorganized to .0208 Qualifications and Training Questioned by RRC, questions were substantive and therefore language struck.</p>
<p>09 NCAC 06C.0207(b)(3) PSAP OPERATIONS AND MANAGEMENT, Telecommunicator Qualifications and Training</p>	<p>This requirement is subjective and ignores practical operational realities of PSAPs. Many PSAPs have staff monitoring cameras, greeting visitors, or performing other minor or passive duties that do not interfere with 911 call handling. We request that the rule be modified to provide that telecommunicators' primary responsibility is ensuring that receiving and processing 911 and they have the ability to set aside or forego any other assigned duties in order to immediately receive and process 911 calls.</p>	<p>Reorganized to .0208 Qualifications and Training Questioned by RRC, questions were substantive and therefore language struck.</p>
<p>09 NCAC 06C.0207(b)(3) PSAP OPERATIONS AND MANAGEMENT, Telecommunicator Qualifications and Training</p>	<p>This requirement is subjective and ignores practical operational realities of PSAPs. A standards should prescribe "what" agencies should be doing, but not "how" they should be doing it. Many PSAPs have staff monitoring cameras, greeting visitors, or performing other minor or passive duties that do not interfere with 911 call handling. This standard should be removed.</p>	<p>Reorganized to .0208 Qualifications and Training Questioned by RRC, questions were substantive and therefore language struck.</p>
<p>09 NCAC 06C.0207(c)(1) PSAP OPERATIONS AND MANAGEMENT, Staffing</p>	<p>This language also essentially mandates staffing levels without providing funding for it. While this is certainly a reasonable goal for most if not all PSAPs, there will be a myriad of factors that could influence the ability to answer calls 90% of the time in under 10 seconds as required in the rules.</p>	<p>Reorganized to .0208(b). Amended to require completion of call taking process.</p>

<p>09 NCAC 06C.0207(c)(1) PSAP OPERATIONS AND MANAGEMENT, Staffing</p>	<p>Commenter sees 207(c)(1) as an unfunded mandate because, although there are other factors, the main driver for not being able to receive calls promptly is the number of personnel you have on duty, and obviously if you create a standard and the local government does not support the PSAP (e.g. provide sufficient personnel), then the PSAP is out of compliance due to a situation which is beyond its control, namely salaries.</p>	<p>Reorganized to .0208(b). Amended to require completion of call taking process. (Oral comment 8/28/15)</p>
<p>09 NCAC 06C.0207(c)(1) PSAP OPERATIONS AND MANAGEMENT, Staffing</p>	<p>“What does that mean? How will it be determined? Who’s going to make those kinds of decisions?” Commenter speculated that a standard of this type maybe should use an annual audit or an annual staffing level in order to accomplish that goal.</p>	<p>Reorganized to .0208(b). Amended to require completion of call taking process. (Oral comment 8/28/15)</p>
<p>09 NCAC 06C.0207(c)(1) PSAP Operations and Management, Staffing</p>	<p>The proposed NFPA language <i>"there shall be sufficient Telecommunicators available to affect the prompt receipt and processing of emergency 911 calls needed to meet the requirements as specified herein."</i> This is a change/addition to NFPA 1221, which originally stated that there must be at least two Telecommunicators on duty 24/7.</p> <p>Once again, the unspoken agenda is to eliminate smaller PSAPs. Sufficient Telecommunicators available to affect the prompt receipt and processing of calls is just a nice way of saying, have enough employees on duty to handle the level of incoming calls. This again becomes an unfunded mandate. The language here really does ignore the practical realities of operating a Communications Center. We provide excellent service in Burlington that includes managing ring down numbers for our Lobby after hours and the monitoring of cameras placed in strategic locations in the city. These functions contribute equally to public safety.</p> <p><i>We urge you to consider language that supports safe, but varied duties in order to maintain the operational effectiveness of all size centers.</i></p>	<p>Reorganized to .0208(b). Amended to require completion of call taking process.</p>

09 NCAC 06C.0207(c)(1) PSAP Operations and Management, Staffing	How will this be measured?	Reorganized to .0208(b). Amended to require completion of call taking process; but the question has merit.
09 NCAC 06C.0207(c)(3) PSAP Operations and Management, Staffing	How will this be measured?	Reorganized to .0208(b). Amended to require completion of call taking process; but the question has merit.
09 NCAC 06C.0207(c)(3)(B) PSAP Operations and Management, Staffing	Many PSAPs do not have the man power that they can dedicate a telecommunicator at all times to an emergency incident.	Reorganized to .0208(b). See revised text.
09 NCAC 06C.0207(c)(3)(B) PSAP Operations and Management, Staffing	Can you provide an example of this? I am not sure exactly what this is regarding.	Reorganized to .0208(b). See revised text.
09 NCAC 06C.0207(c)(4) PSAP Operations and Management, Staffing	Various duties will prevent this that PSAP's must complete during their shift such as NCIC Entries/Cancel/Clears, Criminal History Checks, NCIC Audits, Dispatching, Even call taking other calls for service. I am not sure this rule is necessary if you already have a rule saying that 90% of all 911 Calls must be answered within 10 Seconds or less.	Reorganized to .0208(b)(3). See revised text.
09 NCAC 06C.0207(d)(1) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	This essentially mandates personnel without providing funding. Compliance with this standard will not always be possible (or practical) for a variety of reasons, including temporary or emergency staffing issues. Focusing strictly on these performance measures can result in officer safety issues if PSAPs are required to focus on answering 911 calls over all other responsibilities. While this is a reasonable goal, there will be cases where it needs to be at the discretion of the PSAP director.	Reorganized to .0209(a) PSAP 911 Call Operating Procedures
09 NCAC 06C.0207(d)(1) PSAP OPERATIONS AND	Commenter absolutely agrees with the 90/10 call answering, but again what happens if you are non-compliant; what happens if you don't? He	Reorganized to .0209(a) PSAP 911 Call Operating Procedures (Oral comment 8/28/15)

MANAGEMENT, Operating Procedures	said that is his concern because "...we never seem to get to that last part."	
09 NCAC 06C.0207(d)(1) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	"Ninety (90) percent of emergency 911 calls received on emergency lines shall be answered within ten (10) seconds," saying that he would advocate that as a best practice, as a goal, and the standards should reflect how to achieve that goal, whether through a self-improvement program, a quality improvement program, or something similar to that.	Reorganized to .0209(a) PSAP 911 Call Operating Procedures (Oral comment 8/28/15)
09 NCAC 06C.0207(d)(1) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	<p>This essentially mandates personnel without providing funding. Compliance with this standard will not always be possible (or practical) for a variety of reasons, including temporary or emergency staffing issues. Focusing strictly on these performance measures can result in officer safety issues if PSAPs are required to focus on answering 911 calls over all other responsibilities. While this is a reasonable goal, there will be cases where it needs to be at the discretion of the PSAP director.</p> <p>We request that this standard be stated as a goal rather than a statistical mandate involving risk of funding or other consequences.</p>	Reorganized to .0209(a) PSAP 911 Call Operating Procedures
09 NCAC 06C.0207(d)(1) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	While being an admirable goal, there are times when multiple calls are received on the same incident, and that at these times it is impossible to answer each call within the allotted time as described in this section, even if you had more dispatch positions and Telecommunicators than would ever normally be needed. Also, we have found anomalies in the E-Cats reports, one such being a 800 second answer time. We found that there was no actual call related to that report. We ask that this be changed to "should" instead of "shall".	Reorganized to .0209(a) PSAP 911 Call Operating Procedures "Should" will not be acceptable to RRC.
09 NCAC 06C.0207(d)(1) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	For a very long time the National NENA standard has said 90% within 10 seconds and 95% within 20 seconds. The vast majority of agencies are in-compliance with this standard, including the Burlington Police Department. As for the wording of "should vs. shall." I think the common belief is that "shall" gives the 911Board the ability to enforce these standards whereas "should" would not.	Reorganized to .0209(a) PSAP 911 Call Operating Procedures

	<p>Many would argue this is an "unfunded mandate" for personnel and unfairly targets smaller and secondary PSAPs. I have highly trained staff that constantly evaluate the balance between public safety and officer/firefighter safety. An overly narrow focus on answering a phone with disregard for other duties is not safe either.</p> <p><i>*Please modify the proposed language and make it clear this is a goal, rather than a mandate.</i></p>	
09 NCAC 06C.0207(d)(2) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	We do not dispatch medical calls. As a secondary “Police” only dispatch center, all our calls are routed through the primary center. On the occasion of a medical call coming in or being transferred accidentally, we stay on the line and send the call back to the primary PSAP. Does this rule mean we have to train our Telecommunicators as EMD? If so we strongly object to this rule.	Reorganized to .0209(b) PSAP 911 Call Operating Procedures
09 NCAC 06C.0207(d)(1, 10) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	A review of calls shows that we are in compliance with this proposal at present, but there will be incidents where we can potentially fail due to high call volume. Changing this to a goal is recommended.	Reorganized to .0209(a) PSAP 911 Call Operating Procedures RRC questioned (10)
09 NCAC 06C.0207(d)(2) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	We do not handle medical dispatch of calls due to this being handled by Nash and Edgecombe Counties. Based on the circumstances we will dispatch Fire Department first responders to assist EMS. Will we be penalized even though we never handle calls mandating EMD?	Reorganized to .0209(b) PSAP 911 Call Operating Procedures
09 NCAC 06C.0207(d)(2) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	For law enforcement purposes, the PSAP shall determine time frames allowed for completion of dispatch. What exactly does this mean?	Reorganized to .0209(b) PSAP 911 Call Operating Procedures
09 NCAC 06C.0207(d)(4) PSAP OPERATIONS AND	Do we really need to have specific wording in this? I think simply stating that - The Telecommunicator will advise the caller: “Please do not hang up; I am connecting you with (name of the agency).” Or	Reorganized to .0209(c) PSAP 911 Call Operating Procedures. Questioned by RRC

MANAGEMENT, Operating Procedures	something similar to this effect” would suffice. This way you are not mandating that a telecommunicator or PSAP use those specific words.	
09 NCAC 06C.0207(d)(6) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	What is “the required dispatch systems?”	Questioned by RRC and struck as unnecessary.
09 NCAC 06C.0207(d)(9) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	There are some instances where codes should be used to prevent officers being put into dangerous situations due to information being relayed to them. Exception should be made for officer safety.	Questioned by RRC and struck as unnecessary.
09 NCAC 06C.0207(d)(11) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	That is a lot of stuff that I don’t think needs to be in an SOP. There are many tasks that we require them to do and to put all of them in an SOP would be cumbersome. Maybe this could be shortened down to include only essential duties: D (Emergency response personnel emergencies), E (Activation of an emergency distress function), F (Assignment of incident radio communications plan. – What exactly are these functions?)	Reorganized to .0209(e) PSAP 911 Call Operating Procedures. Questioned by RRC; slight modifications made.
09 NCAC 06C.0207(d)(12) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	No explanation has been given to what would comprise this nor funding to allow for this. Without funding it is impossible for any centers in our immediate vicinity to have their CAD systems to effectively communicate with one another.	Reorganized as a separate rule to .0205, CEMP).
09 NCAC 06C.0207(d)(12) PSAP OPERATIONS AND MANAGEMENT, Operating Procedures	How can a PSAP have a regional communications plan? We are mandating something that does not currently exist. Do you mean a plan with adjacent jurisdictions?	Reorganized as a separate rule to .0205, CEMP). Revised to clarify regional communications plan.
09 NCAC 06C.0207(f) PSAP OPERATIONS AND MANAGEMENT, Recording	Suggest a “best practices” retention period for audio recordings of 911 calls and radio traffic. There is some State guidance as to minimum retention periods for 911 calls, and I think it advisable to quantify a recommended time period within this section.	Reorganized to .0207(c). The rule does not address retention for recordings. (Repeated as an oral comment 8/28/15)

<p>09 NCAC 06C.0207(g) PSAP OPERATIONS AND MANAGEMENT, Quality Assurance/Improvement</p>	<p>There should be some type of standard for QA scoring.</p>	<p>Reorganized to .0207(d). Questioned by RRC.</p>
<p>09 NCAC 06C.0207(g)(1) PSAP OPERATIONS AND MANAGEMENT, Quality Assurance/Improvement</p>	<p>What is considered an acceptable quality assurance program by 911? Our organization does not do EMD due to counties handling this task. EFD which we do have did not appear to be considered quality assurance when Mr. Taylor talked at the north eastern PSAP manager meeting in July.</p>	<p>Reorganized to .0207(d). Questioned by RRC.</p>
<p>09 NCAC 06C.0207(g)(2) PSAP OPERATIONS AND MANAGEMENT, Quality Assurance/Improvement</p>	<p>Will any MIS analysis be acceptable to meet this criteria?</p>	<p>Reorganized to .0207(d). Questioned by RRC.</p>
<p>09 NCAC 06C.0208(a)(1) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, General</p>	<p>Commenter concerned that military PSAPs may possibly be funded in this state using money from the 911 fund. He said their concern is that any agency which currently receives funding from the 911 Board shall meet requirements which allow compliance checks and most certainly shall comply with all North Carolina 911 Board rules, but in the case of military PSAPs the money would, as they understand it, almost certainly be allocated to the Department of Defense general fund, which would not allow military PSAPs to be subject to state compliance checks, nor would it allow the 911 Board access to records to confirm that the money was being spent specifically in adherence to the 911 Board rules.</p>	<p>Sentence struck based on RRC objection that the provision is superfluous as it repeats a statutory requirement. (Oral comment 8/28/15)</p>
<p>09 NCAC 06C.0208(a)(2) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, General</p>	<p>This should be stated as an uptime percentage and not a literal. Under this definition, any piece of equipment that fails for any length of time would put a PSAP in technical violation of the rules and risk losing funding. Nothing works “all the time”. The spirit of this rule is good but should be reworded.</p>	<p>Reorganized to .0210(a)(1). Questioned by RRC.</p>
<p>09 NCAC 06C.0208(a)(2) PUBLIC SAFETY</p>	<p>Even the best vendors only guarantee a 99% up time. According to this, it is 100%. No one will guarantee that.</p>	<p>Reorganized to .0210(a)(1). Questioned by RRC.</p>

ANSWERING POINT (PSAP) FACILITIES, General		(Repeated as an oral comment 8/28/15)
09 NCAC 06C.0208(a)(3) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, General	We have VOIP phone system, radio communication, and can also communicate through use of DCI message switch within our center. Does this meet the qualification of alternate means?	Reorganized to delete this and modify .0206 PSAP Back Up. Questioned by RRC as redundant in light of the back up rule.
09 NCAC 06C.0208(a)(3) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, General	I don't understand the meaning of this standard. An ERF is a structure that houses a PSAP so the PSAP has to have an alternate means of communicating with itself?	Reorganized to delete this and modify .0206 PSAP Back Up. Questioned by RRC as redundant in light of the back up rule.
09 NCAC 06C.0208(a)(3)(B) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, General	How will this be measured?	Questioned by RRC.
09 NCAC 06C.0208(a)(4)(A) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, General	Our current backup would allow for transfer of voice but not data, at this time. Our primary PSAP would still have the data if we need it, and we could call them for that information. Does this rule mandate that 911 data be able to be received at the backup center?	Reorganized to delete this and modify .0206 PSAP Back Up. Questioned by RRC as redundant in light of the back up rule.
09 NCAC 06C.0208(a)(4)(A) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, General	Due to our having a different CAD system we do not have mirror functionality capability with any adjoining agencies that we can use and still be able to transmit by radio to our first responders. Without funding compliance with this mandate is cost prohibitive.	Reorganized to delete this and modify .0206 PSAP Back Up. Questioned by RRC as redundant in light of the back up rule.
09 NCAC 06C.0208(a)(7) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, General	This is requiring the PSAP have enough positions to accommodate staffing during peak workloads. Adequate or necessary equipment for all personnel on duty does not reflect the situation in PSAPs at any given time. Thinking back to the ICE storm we had about a year ago. We had Telecommunicators at every available position in the COMM center answering calls.	Reorganized to .0210(a)(3). Questioned by RRC & modifications made.

	<p><i>We suggest that you provide additional clarity to this rule.</i></p> <p><i>Optimally, we want funding for all the positions we "need" as well as those we can reasonably justify. If our "normal" staffing is 2, but we know we sometimes staff 4, then we should get funding for 4.</i></p> <p><i>For any facility or major staffing change, we request a significant compliance period. In other words, state the new standard and then give us two years to come into full compliance as this will impact our budget building or construction time frames, etc.</i></p> <p>If we only require staffing for one or as in our case two Telecommunicators during peak times, and we only had equipment for two positions, how would we "up staff" during peak times and be able to handle these additional calls? We believe this equipment is an eligible 911 expense and perhaps justifies new authorization for additional equipment.</p>	
<p>09 NCAC 06C.0208(a)(7) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, General</p>	<p>What does that mean; how are you going to apply that; who is going to determine that?" He added he has a lot of questions about how the compliance process is going to occur. He summarized that many of the standards he's read lack specific technical language that would aid in the compliance process. He observed that standards are an agreed-upon way of doing something, and in order to gain agreement, especially in the compliance review, a standard needs to be as objective as possible.</p>	<p>Reorganized to .0210(a)(3). Questioned by RRC & modifications made. (Oral comment 8/28/15)</p>
<p>09 NCAC 06C.0208(a)(7, 8) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, General</p>	<p>These standards are vague. I request clarification regarding the interpretation of this in terms of providing equipment for positions that may not be staffed by a particular PSAP. A standard might include a number of 911 calls per year per position and not leave the interpretation up to the individuals conducting the review.</p>	<p>Reorganized to .0210(a)(3). Questioned by RRC & modifications made.</p>
<p>09 NCAC 06C.0208(a)(7, 8) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, General</p>	<p>We request clarification regarding the interpretation of this in terms of providing equipment for positions that may not be staffed by a particular PSAP. We request language indicating the PSAP shall be designed to provide adequate / necessary equipment for all personnel on-duty.</p>	<p>Reorganized to .0210(a)(3). Questioned by RRC & modifications made.</p>

<p>09 NCAC 06C.0208(a)(9) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, General</p>	<p>Training and guidance should be given at no cost to assist with development of what is considered an acceptable plan.</p>	<p>Reorganized to new rule .0205, CEMP with modifications.</p>
<p>09 NCAC 06C.0208(a)(13) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, General</p>	<p>Police officers, detectives, and supervisors are required to be in the 911 center on occasion for business reasons. To require an agency to utilize a pass thru window or something similar to facilitate this rule would require a Telecommunicator to leave their station frequently. The spirit of this rule is again agreeable in order to prevent distraction, but telecommunicators are a part of many agencies and this restriction is too strong as worded.</p>	<p>Reorganized to .0210(a)(4). Define “penetrations” within the rule.</p>
<p>09 NCAC 06C.0208(b)(2) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, Power</p>	<p>At our backup facility, which is a water treatment plant, our dispatch unit does not have any monitoring capability, however the main plant operations center does, and it is monitored by another City department employee. Would this satisfy this rule?</p>	<p>Reorganized to .0210(b)</p>
<p>09 NCAC 06C.0208(b)(11)(B) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, Power</p>	<p>Again, at our backup facility, which is a water treatment plant, our dispatch unit does not have any monitoring capability, however the main plant operations center does, and it is monitored by another City department employee. Would this satisfy this rule?</p>	<p>Reorganized to .0210(b)(10)</p>
<p>09 NCAC 06C.0208(b)(11)(B) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, Power</p>	<p>Suggest a “best practices” standard of a minimum “run time” that a PSAP’s UPS can effectively maintain power to critical systems. Again, there is no operating time frame defined within the standard.</p>	<p>Reorganized to .0210(b)(10) (Repeated as an oral comment 8/28/15)</p>
<p>09 NCAC 06C.0209(d)(2) PUBLIC SAFETY ANSWERING POINT (PSAP) FACILITIES, Telephones</p>	<p>How will this be proven/measured?</p>	<p>Reorganized to .0211 Questioned by RRC, struck in accordance with changes to back up (.0206) and CEMP (.0205)</p>

<p>09 NCAC 06C.0210(b) DISPATCHING SYSTEMS</p>	<p>What is the definition of monitoring? Telecommunicators are staffed 24/7 and do notify chain of command when issues with phone system are identified, but is this acceptable for compliance?</p>	<p>Reorganized to .0211. Questioned by RRC and struck as redundant, vague.</p>
<p>09 NCAC 06C.0210(b)(1) DISPATCHING SYSTEMS</p>	<p>Are these going to be funded by 911 and do these alarm systems for telephone systems even exist or will they need to be created causing everyone to be out of compliance? Will 911 funds pay for this creation or will this become another issue that is cost prohibitive to the PSAP?</p>	<p>Reorganized to .0211. Questioned by RRC and struck as redundant, vague.</p>
<p>09 NCAC 06C.0211(e)(2)(A) COMPUTER AIDED DISPATCHING (CAD) SYSTEMS, CAD capabilities</p>	<p>A PSAP will have an extremely difficult time to preserve the operation, sustainability and maintainability for the CAD in case the vendor goes out of business. The only method of achieving this standard is to have a secondary CAD.</p>	<p>Reorganized to .0212. Questioned by RRC and struck as redundant, vague.</p>
<p>09 NCAC 06C.0211(f) COMPUTER AIDED DISPATCHING (CAD) SYSTEMS, CAD Performance</p>	<p>After reviewing the proposed rule document, the most significant issue that arose was the section requiring automated failover for CAD. Currently, our vendor doesn't incorporate this feature. If this is a requirement, or any other requirement a PSAP doesn't currently meet, and centers desire to keep funding would there be adequate funding for the potential of multiple CAD replacement requests. Also, if centers opt out of funding for this or any other reason does that not further fragment the aim of trying to provide a consistent level of service and coordination between PSAP's ?</p>	<p>Reorganized to .0212(f).</p>
<p>09 NCAC 06C.0211(f)(1) COMPUTER AIDED DISPATCHING (CAD) SYSTEMS, CAD Performance</p>	<p>We have found that at a smaller agency such as ours, that CAD suggestions actually slow us down rather than help. We would ask that this be changed to "should have the capability of" rather than "shall".</p>	<p>Reorganized to .0212(f). "Should" will not be acceptable to RRC.</p>
<p>09 NCAC 06C.0211(f)(2)(A) COMPUTER AIDED DISPATCHING (CAD) SYSTEMS, CAD Performance</p>	<p>I don't understand exactly how a CAD would reconfigure itself due to an error or fault.</p>	<p>Reorganized to .0212(f).</p>
<p>09 NCAC 06C.0211(f)(3) COMPUTER AIDED</p>	<p>How will this be measured?</p>	<p>Reorganized to .0212(f).</p>

DISPATCHING (CAD) SYSTEMS, CAD Performance		
09 NCAC 06C.0211(f)(4) COMPUTER AIDED DISPATCHING (CAD) SYSTEMS, CAD Performance	The functionality standard of 99.95% is extremely high. This would mean a CAD could only be down about 4 hours over the course of a year. Think the standard should be reduced somewhat.	Reorganized to .0212(f).
09 NCAC 06C.0213(e)(1, 2) RECORDS, Operational Records	Will this mandate require specific records from MIS that are standard to all MIS systems and will 911 funds compensate for the time taken to gather this information from the system?	Reorganized to .0215(d)
09 NCAC 06C.0213(f)(1, 2) RECORDS, Maintenance Records	This information should be mandated for retention by the phone system and not for the customer receiving services relating to repairs.	Reorganized to .0215(e)
09 NCAC 06C.0402(d)(3) PSAP GRANTS FOR CONSTRUCTION, Security	This mandate would be cost prohibitive to the location that is currently proposed inside of a currently operating fire station.	RRC questioned.
09 NCAC 06C.0402(d)(5) PSAP GRANTS FOR CONSTRUCTION, Security	These mandates will prevent PSAPS and back up PSAPS from being created due to the prohibitive costs that would be incurred. The location that we have proposed for our own PSAP could not be allowed should this mandate be imposed.	RRC questioned.
09 NCAC 06C.0402(d)(6, 7) PSAP GRANTS FOR CONSTRUCTION, Security	These mandates are also cost prohibitive and will not allow for construction of PSAPS and backup PSAPS at many locations.	RRC suggests combining these.
General: .0103, .0203, .0208(a)(1), .0207(c)(1), .0207(d)(1)	My concern is that the above multiple referenced sections are establishing de facto requirements for PSAPS that obligate compliances that are largely dependent upon staffing levels that are in effect unfunded mandates by the Board. Many of the requirements are also (in my opinion) too general and vague to be uniformly enforced. In	

	<p>addition, there is in fact little or no description or definition of what the enforcement methodology actually is, short of “withholding of funds”.</p> <p>I believe that the Board should establish “Best Practices” for minimum staffing levels, training standards, answering times, etc; but unless the Board is willing to provide funding, these should be “goals” but NOT “requirements”, unless the Board is willing to provide those funds under the umbrella terminology I have noted in Sec GS62A-4 Sec (a) (4) “services and training”.</p>	
General	<p>As an overall <i>summary</i>, we would ask that you closely review all of the sections and provide additional clarity. Please better define terms and recognize the value in our smaller communities of having a secondary PSAP.</p>	
General	<p>It would be helpful to indicate which required mandates would be funded by the Board in 62A and which would not be so that the NCACC and other entities have best information concerning responsibilities in funding.</p>	
General	<p>I am concerned with the review or compliance process. Currently our agency is both accredited by CALEA for Police and CAI for Fire, we have signed a contract with CALEA for the accreditation of our communication center. These processes are very expensive. The cost of the 911 review will be costly as well. Many of the standards lack the specific technical language that would aid the compliance process. Standards are an agreed way of doing something. In order to gain agreement, especially during a compliance review, the standards need to be as objective as possible. In my review, many of these standards are not. I think the compliance process is as important as the standards themselves. How is this going to be accomplished? Who is going to make the compliance decision? The process should be independent of the board and staff. Both of the accreditation process are conducted by independent contractors who only report their findings to the Commissions. Is there a process in place for conflicts of interest?</p>	

General	We would also like clarification on effective dates? Are they far enough out to allow for compliance assuming funding is made available to them?	
General	The Board should leave the “how” to achieve a goal to the locality and just set the goal.” He also said he thinks “...you need to consider some test sites before you implement these standards. Send them out; do some test sites so that we can see how these standards are going to be applied and how effective they’re going to be.” He noted that even in the CALEA process his agency has spent a great deal of money and time going through this process to make sure that they have all the standards met. He said he sees this as costing local government quite a bit of money in order to ensure those compliance processes, reiterating that he thinks these standards need to be more objective than subjective.	(Oral comment 8/28/15; no rule cited)
General	There is talk about denying funding to PSAPs which receive less than two (2) 911 calls per hour when they currently exist and provide a service which is needed in their community, in contrast with talk about funding military PSAPs in a time and place where there are currently PSAPs operating which handle the 911 calls and traffic, in some situations, that are requested from those members of our military that are on base. So in the one instance, he said we’re talking about forcing consolidation of smaller centers in an effort to save money while possibly writing a blank check to military base PSAPs without even being able to know how the money is being spent.	(Oral comment 8/28/15; no rule cited)
General	Commenter stated that they (the organizations he represents) are not opposed to any standards; they would just like to see that there are some more specific and definitive standards which can be met without cutting services, without cutting PSAPs, and a more economical approach. He said that their commitments lie not with a specific state agency, not organizations or associations, nor with some misguided liaison, but instead remain focused on providing service to our citizens, responders, and personnel alike. He concluded by saying they wish to create and continue to assist in the creation of standards which provide equal access	(Oral comment 8/28/15; no rule cited)

	and applicable funding for what we currently have without reduction in service.	
General	<p>You create these standards, some of them are defined, some are not, some are unfunded mandates that put the onus on the 911 Board for compliance, which again is maybe beyond their control.” He then returned to NCGS §62A-42, Powers and Duties of the 911 Board, citing §62A-42(a)(4) where it says “To establish policies and procedures to fund advisory services and training for PSAPs, to set operating standards for PSAPs and back-up PSAPs, and to provide funds in accordance with these policies, procedures, and standards,” saying his interpretation of that is that if the Board sets standards for things such as training that there is a mechanism to fund those standards if you want compliance. He continued, “So that’s my main concern, that if you establish these standards and guidelines, which I’m not against, that I think that there is a mechanism embedded in 62A to at least create a mechanism to fund these so that the PSAPs can at least be in compliance with your standards and guidelines.”</p>	(Oral comment 8/28/15; no rule cited)
General	<p>Commenter stated that members of the Chief’s Association have been concerned and opposed for some time to rules and standards that force the consolidation of PSAPs. He said they believe that some of that intent is in these rules, or some still believe it, but they also believe the Board is approaching it in the proper way by promoting grants for consolidation that he thinks will adequately reduce the number of PSAPs. He said their concern with these rules is around operations, . . . they particularly support the backup system requirement; they think it’s long overdue and appreciate it. Citing mandatory training programs for personnel, he said “We all know that’s important and support that 100%, as well as good performance standards like the 90% rule,” adding that they believe in those measures.</p> <p>They believe the 911 Board should limit the scope to technical and performance standards only and not attempt to dictate operations/personnel resources that are not fully funded separately by the Board. Noting he’s taught performance measurement at the master’s degree level and is very familiar with it, and that those who are familiar</p>	(Oral comment 8/28/15; no rule cited)

	<p>with it know that we can really define operational standards through performance measurement because if you have to meet those benchmarks you "...have to do what you have to do to meet them." He said the Board doesn't need to get into operational standards at the local level to reach its goal. He postulated that the 911 Board should focus on what performance is in each PSAP, not "...how those benchmarks are met." . . . they respectfully request at a minimum that the Board eliminate those operational standards, make a valid attempt to use benchmarks, and let's see how that works before we get into operational standards.</p> <p>In some PSAPs, that's (answering 911 calls) only a third of what they do. It's still the highest priority; everything else gets dropped when a 911 call comes in. But in reality it's not everything a communications center does. So we believe that by staying out of that and focusing on the minimum performance standards, you're going to get a lot farther with compliance than you would otherwise."</p>	
<p>General, appeals</p>	<p>Finally, the appeals process is very vague and restrictive. It states that the PSAP must appeal within 30 days from when they knew or "should have known" about sanctions. Often in order to file an appeal there has to be some evaluation of vendor hardware and PSAPs cannot control their response time. The appeals process should be an independent board made up of professionals that are experienced in the field.</p>	
<p>General, appeals</p>	<p>Finally, the appeals process is very vague and restrictive. It states that the PSAP must appeal within 30 days from when they knew or "should have known" about sanctions. Often in order to file an appeal there has to be some evaluation of vendor hardware and PSAPs cannot control their response time. The NCACP would request a 60 day window from the time the PSAP receives a certified letter notifying the PSAP of the sanctions and remove references to "should have known" which is too vague.</p>	