

G.S. 150B-21.3A Report for 10A NCAC 09, CHILD CARE RULES

Agency - Child Care Commission

Comment Period -October 2-January 22, 2025

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
	SECTION .0100 DEFINITIONS	10A NCAC 09 .0102	DEFINITIONS	Amended Eff. January 1, 2024	Necessary	Yes If yes, include the citation to the federal law	45 CFR 98.16	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0200 - GENERAL REQUIREMENTS	10A NCAC 09 .0201	INSPECTIONS OF CHILD CARE FACILITIES	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0204	CHANGES REQUIRING ISSUANCE OF A NEW LICENSE FOR A CHILD CARE CENTER	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0205	ACCESS TO CHILD CARE CENTER	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45CFR 98.15, 98.31	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0300 - PROCEDURES FOR OBTAINING A LICENSE	10A NCAC 09 .0301	PRE-LICENSING REQUIREMENTS FOR CHILD CARE CENTERS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0302	APPLICATION FOR A LICENSE FOR A CHILD CARE CENTER	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41, 98.42, 98.68	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0304	ON-GOING REQUIREMENTS FOR A LICENSE	Amended Eff. June 1, 2018	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41, 98.42, 98.68	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0400 ISSUANCE OF PROVISIONAL AND TEMPORARY LICENSES	10A NCAC 09 .0403	TEMPORARY LICENSES FOR CENTERS	Amended Eff. February 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0500 - SCHEDULES AND ACTIVITIES	10A NCAC 09 .0505	DEVELOPMENTAL DAY CENTERS	Transferred from 10A NCAC 09 2512 Eff. August 28, 2019	Unnecessary	No		No	Unnecessary	No comments with merit	Unnecessary and should expire on the first day of the month following the consultation	Rule expired - remove from Code
		10A NCAC 09 .0508	ACTIVITY SCHEDULES AND PLANS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0509	LEARNING ENVIRONMENT	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0510	ACTIVITY AREAS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0511	DAILY ROUTINES FOR CHILDREN UNDER TWO YEARS OF AGE	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 9858e	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0513	ADMINISTRATIVE POLICIES	Readopted Eff. March 1, 2019 (Transferred from 10A NCAC 09 .2804)	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0514	OPERATIONAL AND PERSONNEL POLICIES	Readopted Eff. March 1, 2019 (Transferred from 10A NCAC 09 .2805)	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0515	PARENT PARTICIPATION	Readopted Eff. March 1, 2019 (Transferred from 10A NCAC 09 .2807)	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.1, 98.16	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0516	NIGHT CARE	Readopted Eff. March 1, 2019 (Transferred from 10A NCAC 09 .2808)	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0600 SAFETY REQUIREMENTS FOR CHILD CARE CENTERS	10A NCAC 09 .0601	SAFE ENVIRONMENT	Amended Eff. January 1, 2024	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0604	SAFETY REQUIREMENTS FOR CHILD CARE CENTERS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0605	OUTDOOR LEARNING ENVIRONMENT IN CHILD CARE CENTERS	Amended Eff. September 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0606	SAFE SLEEP PRACTICES	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		10A NCAC 09 .0607	EMERGENCY PREPAREDNESS AND RESPONSE IN CHILD CARE CENTERS	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0608	PREVENTION OF SHAKEN BABY SYNDROME AND ABUSIVE HEAD TRAUMA	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0700 - STAFF QUALIFICATIONS	10A NCAC 09 .0701	HEALTH STANDARDS FOR CHILD CARE PROVIDERS, SUBSTITUTE PROVIDERS, VOLUNTEERS, AND UNCOMPENSATED PROVIDERS	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.41, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0703	GENERAL STATUTORY REQUIREMENTS	Amended Eff. September 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.41, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0704	PRESERVE REQUIREMENTS FOR CHILD CARE ADMINISTRATORS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0710	PRESERVE REQUIREMENTS FOR LEAD TEACHERS AND TEACHERS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0711	PRESERVE REQUIREMENTS FOR OTHER STAFF	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0713	STAFF/CHILD RATIOS FOR CENTERS	Amended Eff. July 1, 2023	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0714	OTHER STAFFING REQUIREMENTS	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0800 - HEALTH STANDARDS FOR CHILDREN	10A NCAC 09 .0801	APPLICATION FOR ENROLLMENT	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0802	EMERGENCY MEDICAL CARE	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0803	ADMINISTERING MEDICATION IN CHILD CARE CENTERS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0804	INFECTIOUS AND CONTAGIOUS DISEASES	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0806	TOILETING, CLOTHING AND LINENS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .0900 NUTRITION STANDARDS	10A NCAC 09 .0901	GENERAL NUTRITION REQUIREMENTS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0902	REQUIREMENTS FOR INFANTS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .0903	REQUIREMENTS FOR CHILDREN AGED 15 MONTHS AND OLDER	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .1000 TRANSPORTATION STANDARDS	10A NCAC 09 .1001	SEAT AND CHILD SAFETY SEATS IN CHILD CARE CENTERS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1002	SAFE VEHICLES	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1003	SAFE PROCEDURES	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1004	STAFF/CHILD RATIOS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		10A NCAC 09 .1005	OFF PREMISE ACTIVITIES IN CHILD CARE CENTERS	Readopted Eff. October 1, 2017 (Transferred from 10A NCAC 09 .0512)	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .1100 – CONTINUING EDUCATION AND PROFESSIONAL DEVELOPMENT	10A NCAC 09 .1101	NEW STAFF ORIENTATION REQUIREMENTS	Amended Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1102	HEALTH AND SAFETY TRAINING REQUIREMENTS	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.41	Yes	Necessary	One or more comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1103	ON-GOING TRAINING AND PROFESSIONAL DEVELOPMENT	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 9858e, 45 CFR 98.41, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1104	PROFESSIONAL DEVELOPMENT PLAN	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 9858e, 45 CFR 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1105	TRAINING APPROVAL	Readopted October 1, 2017 (Transferred from 10A NCAC 09 .0708)	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 9858e, 45 CFR 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1106	DOCUMENTATION OF ON-GOING TRAINING AND PROFESSIONAL DEVELOPMENT	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 9858e, 45 CFR 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .1300 - BUILDING CODE REQUIREMENTS FOR CHILD CARE CENTERS	10A NCAC 09 .1301	BUILDING CODE REQUIREMENTS FOR CENTERS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .1400 SPACE REQUIREMENTS	10A NCAC 09 .1401	INDOOR SPACE	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1402	OUTDOOR SPACE	Amended Eff. February 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1403	ACTIVITIES INVOLVING WATER IN CHILD CARE CENTERS	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .1700 – FAMILY CHILD CARE HOME REQUIREMENTS	10A NCAC 09 .1702	APPLICATION FOR A LICENSE FOR A FAMILY CHILD CARE HOME	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41, 98.42, 98.68	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1703	ON-GOING REQUIREMENTS FOR FAMILY CHILD CARE HOME OPERATORS	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1704	CAREGIVER INTERACTIONS IN A FAMILY CHILD CARE HOME	Readopted Eff. October 1, 2017 (Transferred from 10A NCAC 09 .1703)	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1706	NUTRITION STANDARDS	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1707	BUILDING REQUIREMENTS	Amended Eff. January 1, 2024	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1708	PRE-LICENSING REQUIREMENTS FOR FAMILY CHILD CARE HOMES	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1709	INSPECTIONS	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1710	PARENTAL ACCESS TO THE FAMILY CHILD CARE HOME	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.31	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1711	SUPERVISION OF CHILDREN IN A FAMILY CHILD CARE HOME	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		10A NCAC 09 .1712	WRITTEN PLAN OF CARE	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1713	EMERGENCY MEDICAL CARE	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1714	EMERGENCY PREPAREDNESS AND RESPONSE	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1715	OPERATIONAL POLICIES	Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1716	FAILURE TO MAINTAIN REQUIREMENTS	Readopted October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.33, 98.40, 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1718	REQUIREMENTS FOR DAILY OPERATIONS	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1719	REQUIREMENTS FOR A SAFE INDOOR/OUTDOOR ENVIRONMENT	Amended Eff. September 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1720	MEDICATION REQUIREMENTS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1721	REQUIREMENTS FOR RECORDS	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1722	PROHIBITED DISCIPLINE	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1723	TRANSPORTATION REQUIREMENTS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1724	SAFE SLEEP PRACTICES	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1725	SANITATION REQUIREMENTS FOR FAMILY CHILD CARE HOMES	Amended Eff. January 1, 2024	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1726	PREVENTION OF SHAKEN BABY SYNDROME AND ABUSIVE HEAD TRAUMA	Amended Eff. September 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1727	DISCIPLINE POLICY	Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1728	OVERNIGHT CARE	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1729	ADDITIONAL CAREGIVER AND SUBSTITUTE PROVIDER QUALIFICATIONS	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.41, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1730	ACTIVITIES INVOLVING WATER	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .1800 - STAFF/CHILD INTERACTIONS AND BEHAVIOR MANAGEMENT	10A NCAC 09 .1801	SUPERVISION IN CHILD CARE CENTERS	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1802	STAFF/CHILD INTERACTIONS	Readopted Eff. October 1, 2017 (Transferred from 10A NCAC 09 .0501)	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .1803	PROHIBITED DISCIPLINE IN CHILD CARE CENTERS	Readopted Eff. October 1, 2017 (Transferred from 10A NCAC 09 .1801)	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

G.S. 150B-21.3A Report for 10A NCAC 09, CHILD CARE RULES

Agency - Child Care Commission

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		10A NCAC 09 .1804	DISCIPLINE POLICY FOR CHILD CARE CENTERS	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .2000 - RULEMAKING AND CONTESTED CASE PROCEDURES	10A NCAC 09 .2001	PETITIONS FOR RULEMAKING	Amended Eff. February 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2002	RULEMAKING PROCEDURES	Amended Eff. February 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2003	DECLARATORY RULINGS	Amended Eff. February 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2004	CONTESTED CASES: DEFINITIONS	Amended Eff. February 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2005	CONTESTED CASES: REQUEST FOR DETERMINATION	Amended Eff. February 1, 2016	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .2100 RELIGIOUS-SPONSORED CHILD CARE CENTER REQUIREMENTS	10A NCAC 09 .2101	CENTERS OPERATING UNDER G.S. 110-106	Amended Eff. September 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2102	USE OF CORPORAL PUNISHMENT	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .2200 - ADMINISTRATIVE ACTIONS AND CIVIL PENALTIES	10A NCAC 09 .2201	ADMINISTRATIVE ACTIONS GENERAL PROVISIONS	Readopted Eff. February 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.33, 98.40, 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2202	WRITTEN REPRIMANDS	Readopted Eff. February 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.33, 98.40, 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2203	WRITTEN WARNINGS	Readopted Eff. February 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.33, 98.40, 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2204	PROVISIONAL CHILD CARE FACILITY LICENSE OR PROVISIONAL NOTICE OF COMPLIANCE	Amended Eff. January 1, 2024	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.33, 98.40, 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2205	PROBATIONARY LICENSE OR PROBATIONARY NOTICE OF COMPLIANCE	Readopted Eff. February 1, 2019 (Transferred from 10A NCAC 09 .2204)	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.33, 98.40, 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2206	SUSPENSION	Amended Eff. January 1, 2024	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.33, 98.40, 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2207	SPECIAL PROVISIONAL CHILD CARE FACILITY LICENSE OR SPECIAL PROVISIONAL NOTICE OF COMPLIANCE	Eff. February 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.33, 98.40, 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2209	REVOCAION OF A CHILD CARE FACILITY LICENSE OR AN ORDER TO CEASE OPERATION	Amended Eff. January 1, 2024	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.33, 98.40, 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2213	SUMMARY SUSPENSION	Readopted Eff. February 1, 2019 (Transferred from 10A NCAC 09 .2207)	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.33, 98.40, 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2214	SCHEDULE OF CIVIL PENALTIES FOR FAMILY CHILD CARE HOMES	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.33, 98.40, 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2215	DENIAL OF A LICENSE	Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.33, 98.40, 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2216	AMOUNT OF CIVIL PENALTIES FOR CHILD CARE FACILITIES	Readopted Eff. February 1, 2019 (Transferred from 10A NCAC 09 .2209)	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.33, 98.40, 98.42	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .2300 FORMS	10A NCAC 09 .2318	CHILD CARE CENTER RECORD RETENTION	Amended Eff. February 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .2400 CHILD CARE FOR MILDLY ILL CHILDREN	10A NCAC 09 .2401	SCOPE	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		10A NCAC 09 .2402	DEFINITIONS	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2403	SPECIAL PROVISIONS FOR LICENSURE	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2404	INCLUSION AND EXCLUSION REQUIREMENTS	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2405	ADMISSION REQUIREMENTS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2406	STAFF/CHILD RATIOS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2407	SPACE REQUIREMENTS FOR MILDLY SICK CHILDREN	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2408	STAFF QUALIFICATIONS	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.41, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2409	CHILDREN'S RECORDS	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2410	CHILDREN'S ACTIVITIES	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.15, 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2411	NUTRITION REQUIREMENTS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .2500 - CARE FOR SCHOOL-AGE CHILDREN	10A NCAC 09 .2501	SCOPE	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2502	SPECIAL PROVISIONS FOR SUMMER DAY CAMPS	Amended Eff. September 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2503	BUILDING CODE REQUIREMENTS	Amended Eff. September 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2504	SPACE REQUIREMENTS	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2505	HEALTH REQUIREMENTS FOR CHILDREN	Amended Eff. September 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2506	GENERAL SAFETY REQUIREMENTS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2508	AGE APPROPRIATE ACTIVITIES	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2509	ACTIVITIES: OFF-PREMISES	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2510	STAFF QUALIFICATIONS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.41, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2513	COOPERATIVE ARRANGEMENT FOR INSTRUCTIONAL NEEDS	Eff. July 1, 2023	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .2600 - MULTI-UNIT CHILD CARE CENTERS	10A NCAC 09 .2611	SCOPE	Eff. January 1, 2024	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2612	DEFINITION OF MULTI-UNIT CHILD CARE CENTERS	Eff. January 1, 2024	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2613	LICENSURE	Eff. January 1, 2024	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41, 98.42, 98.68	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2614	OUTDOOR SPACE	Eff. January 1, 2024	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		10A NCAC 09 .2615	STAFF/CHILD RATIOS	Eff. January 1, 2024	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2616	PROVIDER QUALIFICATIONS	Eff. January 1, 2024	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.41, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .2700 - CRIMINAL BACKGROUND CHECKS	10A NCAC 09 .2701	SCOPE	Readopted Eff. January 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858f, 45 CFR 98.43	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2702	DEFINITIONS	Readopted Eff. January 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858f, 45 CFR 98.43	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2703	CRIMINAL HISTORY RECORD CHECK REQUIREMENTS FOR CHILD CARE PROVIDERS	Amended Eff. December 1, 2023	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858f, 45 CFR 98.43	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2704	CRIMINAL HISTORY RECORD CHECK REQUIREMENTS FOR NONLICENSED CHILD CARE PROVIDERS	Readopted Eff. January 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858f, 45 CFR 98.43	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .2800 - TWO THROUGH FIVE STAR RATED LICENSES	10A NCAC 09 .2801	SCOPE	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2802	APPLICATION FOR A TWO THROUGH FIVE STAR RATED LICENSE	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2806	CAREGIVING ACTIVITIES FOR PRESCHOOL-AGED CHILDREN	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2809	ENHANCED SPACE REQUIREMENTS	Amended Eff. July 1, 2023	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2817	ENHANCED PROGRAM STANDARDS FOR CHILD CARE CENTERS	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2818	ENHANCED STAFF/CHILD RATIOS FOR A RATED LICENSE FOR CHILD CARE CENTERS	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2819	ENHANCED EDUCATION STANDARDS FOR ON-SITE ADMINISTRATORS FOR A RATED LICENSE FOR CHILD CARE CENTERS	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2820	ENHANCED EDUCATION STANDARDS FOR LEAD TEACHERS FOR A RATED LICENSE FOR CHILD CARE CENTERS	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2821	ENHANCED EDUCATION STANDARDS FOR TEACHERS FOR A RATED LICENSE FOR CHILD CARE CENTERS	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2822	ENHANCED EDUCATION STANDARDS FOR PROGRAM COORDINATORS FOR A RATED LICENSE FOR CHILD CARE CENTERS	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

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		10A NCAC 09 .2823	ENHANCED EDUCATION STANDARDS FOR GROUP LEADERS AND ASSISTANT GROUP LEADERS FOR A RATED LICENSE FOR CHILD CARE CENTERS AND FOR CENTERS THAT PROVIDE CARE ONLY TO SCHOOL-AGE CHILDREN	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2824	ENHANCED EDUCATION STANDARDS FOR A RATED LICENSE FOR ADMINISTRATORS FOR CENTERS THAT PROVIDE CARE ONLY TO SCHOOL-AGE CHILDREN	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2825	ENHANCED EDUCATION STANDARDS FOR PROGRAM COORDINATORS FOR A RATED LICENSE FOR CENTERS THAT PROVIDE CARE ONLY TO SCHOOL-AGE CHILDREN	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2827	ENHANCED EDUCATION STANDARDS FOR OPERATORS FOR A RATED LICENSE FOR FAMILY CHILD CARE HOMES	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2828	ENHANCED PROGRAM STANDARDS FOR A RATED LICENSE FOR FAMILY CHILD CARE HOMES	Amended Eff. July 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2829	QUALITY POINT OPTIONS	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2830	MAINTAINING THE STAR RATING	Readopted Eff. March 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2831	HOW AN OPERATOR MAY REQUEST OR APPEAL A CHANGE IN RATING	Readopted Eff. March 1, 2019	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .2900 - DEVELOPMENTAL DAY SERVICES	10A NCAC 09 .2901	SCOPE	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2902	LICENSE	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41, 98.68	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2903	STAFF QUALIFICATIONS	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2904	PROGRAM REQUIREMENTS	Amended Eff. September 1, 2019	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .2905	FAMILY SERVICES	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.1, 98.16	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .3000 NC PRE-KINDERGARTEN SERVICES	10A NCAC 09 .3001	SCOPE	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3002	FACILITY REQUIREMENTS	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3003	PROGRAM ATTENDANCE POLICY	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

G.S. 150B-21.3A Report for 10A NCAC 09, CHILD CARE RULES

Agency - Child Care Commission

Comment Period -October 2-January 22, 2025

Date Submitted to APO - Filled in by RRC staff

Subchapter	Rule Section	Rule Citation	Rule Name	Date and Last Agency Action on the Rule	Agency Determination [150B-21.3A(c)(1)a]	Required to Implement or Conform to Federal Regulation [150B-21.3A(d1)]	Federal Regulation Citation	Public Comment Received [150B-21.3A(c)(1)]	Agency Determination Following Public Comment [150B-21.3A(c)(1)]	RRC Determination of Public Comments [150B-21.3A(c)(2)]	RRC Final Determination of Status of Rule for Report to APO [150B-21.3A(c)(2)]	OAH Next Steps
		10A NCAC 09 .3005	CHILD HEALTH ASSESSMENTS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3006	DEVELOPMENTAL SCREENING	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3007	EARLY LEARNING STANDARDS AND CURRICULA	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3008	FORMATIVE ASSESSMENTS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858e, 45 CFR 98.45	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3009	STAFF-TO-CHILD RATIO AND CLASS SIZE	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.41	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3010	FAMILY ENGAGEMENT	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.1, 98.16	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3011	NC PRE-K SITE-LEVEL ADMINISTRATOR QUALIFICATIONS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.41, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3012	NC PRE-K TEACHER EDUCATION, LICENSURE AND CREDENTIALS	Amended Eff. February 1, 2021	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.41, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3013	NC PRE-K TEACHER ASSISTANT EDUCATION AND CREDENTIALS	Amended Eff. April 1, 2022	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.41, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3014	NC PRE-K SUBSTITUTE STAFF	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.41, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3015	NC PRE-K TEACHER AND TEACHER ASSISTANT STANDARDS	Readopted Eff. October 1, 2017	Necessary	Yes If yes, include the citation to the federal law	42 USCS 9858c, 45 CFR 98.16, 98.41, 98.44	No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3016	PROFESSIONAL DEVELOPMENT REQUIREMENTS	Readopted Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3017	CHILDREN WITH UNIQUE NEEDS AND CHALLENGING BEHAVIORS	Eff. October 1, 2017	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
	SECTION .3100 – CARE FOR SCHOOL-AGE CHILDREN DURING STATE OF EMERGENCY	10A NCAC 09 .3101	SCOPE	Eff. October 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3102	DEFINITIONS	Eff. October 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3103	PUBLIC SCHOOLS	Eff. October 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt
		10A NCAC 09 .3104	ADDING SPACE AT LICENSED CENTERS FOR CARE OF SCHOOL-AGE CHILDREN	Eff. October 1, 2021	Necessary	No		No	Necessary	No comments with merit	Necessary and must be readopted	Agency must readopt

Type of Comment	Comment	Agency Response
Other Statement	<p>From: Jacquie Simmons Sent: Wednesday, January 22, 2025 11:14 am To: Julie Peck cc: Tanner, Alicia; Fennell, Vickie ; Summey, Courtney Lianne; Tanner, Alicia Subject: Public Comment - Periodic Review of Existing Child Care Rules</p> <p style="text-align: right;">Greetings,</p> <p>Attached is a letter for public comment on the initial determinations on whether each child care rule is necessary or unnecessary.</p> <p>Thank you!</p> <p>Jacquie</p> <p>Jacqueline Simmons, MScPH MCHES Project Director NC Child Care Health and Safety Resource Center UNC Gillings School of Global Public Health, Department of Maternal and Child Health</p> <p>Attachment: NC Child Care Commission 2201 Mail Service Center Raleigh, NC 27699-2201 Attn: Julie Peck</p> <p>Greetings members of the North Carolina Child Care Commission, These comments are written on behalf of the North Carolina Child Care Health and Safety Resource Center whose mission is to promote healthy and safe indoor and outdoor environments in early care and education settings through child care health consultation.</p> <p>The current NC Child Care Rules that address the health and safety of children, staff, and volunteers in child care are not only necessary, but critical to maintaining safe and healthy child care environments. The Rules provide a minimum standard for staff-to-child ratios, environmental health practices, health and safety training requirements for early educators, and disease and injury control and prevention. The Rules help protect children from harm and promote consistent and high-quality care across the state. The Rules provide instruction and reference on the following to create a safe and secure environment for both children and early educators:</p> <ul style="list-style-type: none"> • preventing the spread of disease • reducing the risk of injury and death • implementing emergency preparedness measures 	<p>Thank you for submitting your comment to the NC Child Care Commission as part of the Periodic Review of Existing Rules for Child Care Rules 10A NCAC 09 required by NC Session Law 2013-413.</p> <p>Reporting Initial Determinations as to whether the Commission believes an existing rule is “necessary” or “unnecessary” and receiving and reporting public comment received to the Office of Administrative Hearings (OAH) is the first step of the Periodic Review of Rules process as required by NCGS 150B-21.3A which mandates that state agencies shall review their rules every 10 years. Your comment will be taken under advisement. Please note that there will be an additional</p>

	<ul style="list-style-type: none">• supporting children with special health care and medication needs• reinforcing environmental health standards• promoting safe nutrition and physical activity• fostering staff wellness <p>The public health professionals that make up the NC Child Care Health and Safety Resource Center agree with the NC Division of Child Development and Early Education regarding which rules are necessary. However, we also look forward to embarking on a review process of the rules so that appropriate and necessary updates are made that will create even healthier and safer environments for everyone in the child care setting.</p> <p>Thank you for your consideration and we welcome any questions or discourse regarding the included recommendations.</p>	<p>opportunity for you to submit public comment as part of the rules review process. More information about the Administrative Procedure Act can be found in NC General Statute 150B.</p>
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