

1 10A NCAC 09 .0513 is readopted with changes as published in 32:14 NCR 1340 as follows:

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3 SECTION .0500 – SCHEDULES AND ACTIVITIES AGE AND DEVELOPMENTALLY
4 APPROPRIATE ENVIRONMENTS FOR CENTERS

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6 10A NCAC 09 .~~2804~~ .0513 ADMINISTRATIVE POLICIES

7 Centers ~~seeking two or more points for program standards~~ shall have administrative policies and practices ~~which~~ that
8 provide ~~for~~ for:

- 9 (1) selection and training of staff;
10 (2) communication with and opportunities for participation by parents;
11 (3) operational and fiscal management; and
12 (4) objective evaluation of the program, ~~management~~ management, and staff in accordance with the
13 rules of this Section.

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15 *History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;*
16 *Eff. April 1, 1999;*
17 *Amended Eff. July 1, 2000;*
18 *Prior to amendment of May 1, 2006 this language was located in Rule .1601;*
19 *Amended Eff. May 1, 2006; 2016.*
20 *Readopted March 1, 2019 (Transferred from 10A NCAC 09 .2804).*

10A NCAC 09 .0514 is readopted with changes as published in 32:14 NCR 1340-1341 as follows:

10A NCAC 09 .2805 .0514 OPERATIONAL AND PERSONNEL POLICIES

(a) Each center shall have written policies ~~which~~ that describe the operation of the center and the services ~~which~~ that are available to parents and their children. The operational policies shall include at least the following information:

- (1) the days and hours the center operates;
- (2) the age range of the children served;
- (3) admission requirements and enrollment procedures;
- (4) parent fees and payment plan;
- (5) information about services provided by the center, ~~i.e.~~ such as number of meals served, ~~before/after~~ before and after school care, and transportation;
- (6) items, if any, to be provided by parents;
- (7) a schedule of daily, weekly, and monthly cleaning duties;
- (8) written procedures for reporting suspected child abuse and neglect;
- (9) the center's discipline policy for behavior management;
- (10) a description of opportunities for parent participation; and
- (11) nutrition policies.

(b) Operational policies shall be discussed with parents ~~at the time they inquire about enrolling their child~~ [prior to enrollment] on or before the child's first day of attendance in the center. A copy of the policies shall be given to the parents ~~when their child is enrolled~~ on or before the child's first day of attendance and ~~they~~ the parents shall be notified in writing of ~~any changes.~~ all changes in policy.

(c) Copies of operational policies and any subsequent changes to those policies shall be distributed to the staff.

(d) Each center in which more than two staff are required to meet ~~the enhanced standards for~~ staff/child ratios shall have a written personnel policy ~~which~~ that includes at least the following information:

- (1) job descriptions for each position;
- (2) minimum qualifications for each ~~position~~ position, including reference checks;
- (3) health and medical requirements;
- (4) requirements and provisions for in-service training;
- (5) provisions for leave time and other ~~absence;~~ absences;
- (6) procedures for on-going supervision and regular evaluation of work performance; and
- (7) resignation and termination procedures.

(e) Personnel policies shall be discussed with each employee at the time of employment and a copy of the policies shall be available to all staff. Staff shall be notified in writing of ~~any~~ all changes in personnel policies.

(f) In addition to all records required in Rule .0302(d) of this Chapter, each employee's personnel file shall contain an annual staff evaluation and staff development plan.

(g) All personnel files of employees hired after April 1, ~~1999~~ 1999, shall also ~~contain:~~ [contain] include

- 1 (1) a signed and dated statement verifying that the employee received a copy of ~~his/her~~ his or her job
- 2 ~~description(s)~~ description and has reviewed the personnel and operational ~~policies, policies; and~~
- 3 (2) ~~documentation that information concerning the enhanced standards was included during the~~
- 4 ~~employee's orientation.~~

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6 *History Note:* *Authority G.S. 110-88(7); 110-90(4); 143B-168.3;*

7 *Eff. April 1, 1999;*

8 *Prior to amendment of May 1, 2006 this language was located in Rule .1602;*

9 *Amended Eff. May 1, ~~2006~~. 2006;*

10 *Readopted Eff. March 1, 2019 (Transferred from 10A NCAC 09 .2805).*

1 **10A NCAC 09 .0515 is readopted with changes as published in 32:14 NCR 1341 as follows:**

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3 **10A NCAC 09 .2807 .0515 PARENT PARTICIPATION**

4 (a) Each center shall have a plan ~~which~~ that will encourage parent participation and inform parents about the program
5 and its services. The plan shall be discussed with parents ~~at the time the child is enrolled~~ [prior to enrollment] on or
6 before the child's first day of attendance and shall be posted in the center or a copy shall be given to parents ~~at the~~
7 ~~time of~~ [prior to] enrollment on or before the child's first day of attendance.

8 (b) The plan shall include the following:

- 9 (1) a procedure for registering a child for child care ~~which~~ that involves both parents when possible and
10 ~~which~~ that encourages a visit to the center by the child and the child's parents before the child begins
11 attending the center;
12 (2) opportunities for caregiving staff to meet with parents on a regular basis to discuss their child's needs
13 and progress and to exchange information about the program;
14 (3) activities ~~which~~ that provide parents opportunities to participate in the center's program on an
15 individual basis and as a group;
16 (4) a procedure for parents who need information or have complaints about the child care program.

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18 *History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;*

19 *Eff. April 1, 1999;*

20 *Prior to amendment of May 1, 2006 this language was located in Rule .1613;*

21 *Amended Eff. May 1, ~~2006~~. 2006;*

22 *Readopted Eff. March 1, 2019 (Transferred from 10A NCAC 09 .2807).*

1 10A NCAC 09 .0516 is readopted with changes as published in 32:14 NCR 1341 as follows:

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3 10A NCAC 09 ~~.2808~~ .0516 NIGHT CARE

4 (a) ~~A variety of~~ Developmentally appropriate activities ~~and experiences~~ shall be available for children during the
5 evening hours. Quiet activities shall be planned just before bedtime. Children shall have opportunities to develop
6 good personal care and health habits through routines.

7 (b) Schedules for the children receiving nighttime care ~~must~~ shall be ~~flexible and~~ individually planned.

8 (c) When possible, children shall be left for care before, and picked up after, ~~before and after~~ their normal sleeping
9 period. ~~period so that there is minimal disturbance of the child during sleep.~~

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11 *History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;*

12 *Eff. April 1, 1999;*

13 *Prior to amendment of May 1, 2006 this language was located in Rule .1615;*

14 *Amended Eff. May 1, ~~2006~~ 2006;*

15 *Readopted Eff. March 1, 2019 (Transferred from 10A NCAC 09 .2808).*

10A NCAC 09 .1101 is amended with changes as published in 32:14 NCR 1341-1342 as follows:

SECTION .1100 – CONTINUING EDUCATION AND PROFESSIONAL DEVELOPMENT

10A NCAC 09 .1101 NEW STAFF ORIENTATION REQUIREMENTS

(a) Each center shall ensure that each new employee who is expected to have contact with children receives 16 ~~clock~~ hours of on-site orientation within the first six weeks of employment. As part of this orientation, each new employee shall complete six ~~clock~~ hours of orientation within the first two weeks of employment.

(b) New staff orientation shall include an overview of the following topics, focusing on the operation of the center:

<u>New staff orientation within</u> [Within] first two (2) weeks of employment	<u>New staff orientation within</u> [Within] first six (6) weeks of employment
Information regarding recognizing, responding to, and reporting child abuse, neglect, or maltreatment pursuant to G.S. 110-105.4 and G.S. 7B-301	Firsthand observation of the center's daily operations
Review of the center's operational policies, including the center's safe sleep policy for infants, the center's policy for transportation, the center's identification of building and premises safety issues, the Emergency Preparedness and Response Plan, and the emergency medical care plan	Instruction in the employee's assigned duties
Adequate supervision of children in accordance with 10A NCAC 09 .1801	Instruction in the maintenance of a safe and healthy environment
Information regarding prevention of shaken baby syndrome and abusive head trauma and child maltreatment	Instruction in the administration of medication to children in accordance with 10A NCAC 09 .0803
Prevention and control of infectious diseases, including immunization	Review of the center's purposes and goals
	Review of the child care licensing law and rules
	<u>Review of Section .2800 of this Chapter if the center has a two- through five- star license at the time of employment</u>
	An explanation of the role of State and local government agencies in the regulation of child care, their impact on the operation of the center, and their availability as a resource
	An explanation of the employee's obligation to cooperate with representatives of State and local government agencies during visits and investigations

New staff orientation within Within first two (2) weeks of employment	New staff orientation within Within first six (6) weeks of employment
	Prevention of and response to emergencies due to food and allergic reactions
	Review of the center's handling and storage of hazardous materials and the appropriate disposal of biocontaminants

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2 *History Note: Authority G.S. 110-85; 110-91(11); 143B-168.3;*

3 *Eff. October 1, ~~2017~~. 2017;*

4 *Amended Eff. March 1, 2019.*

1 10A NCAC 09 .1715 is adopted with changes as published in 32:14 NCR 1342 as follows:

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3 SECTION .1700 – FAMILY CHILD CARE HOME REQUIREMENTS

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5 10A NCAC 09 .1715 OPERATIONAL POLICIES

6 (a) Each operator shall have written operational policies that include ~~at least~~ the following information:

- 7 (1) the days and hours of operation;
- 8 (2) the age range of the children served;
- 9 (3) admission requirements and enrollment procedures;
- 10 (4) parent fees and payment plan;
- 11 (5) information about services provided by the operator, ~~i.e. such as~~ number of meals served,
- 12 ~~before/after~~ before and after school care, and transportation;
- 13 (6) items, if any, to be provided by parents;
- 14 (7) a schedule of daily, weekly, and monthly cleaning duties;
- 15 (8) written procedures for reporting suspected child abuse and neglect;
- 16 (9) the operator's discipline policy for behavior management;
- 17 (10) a description of opportunities for parent participation; and
- 18 (11) nutrition policies.

19 (b) Operational policies shall be discussed with parents ~~prior to enrollment~~ on or before the child's first day of

20 attendance in the home. A copy of the policies shall be given to the parents ~~when their child is enrolled~~ on or before

21 the child's first day of attendance and ~~they~~ the parents shall be notified in writing of ~~any changes.~~ all changes in policy.

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23 *History Note: Authority G.S. 110-85; 110-88; 110-91; 143B-168.3;*

24 *Eff. March 1, 2019.*

10A NCAC 09 .1729 is amended with changes as published in 32:14 NCR 1342-1343 as follows:

**10A NCAC 09 .1729 ADDITIONAL CAREGIVER AND SUBSTITUTE PROVIDER
QUALIFICATIONS**

(a) An individual who provides care for five hours or more in a week during planned absences of the family child care home operator shall:

- (1) be 21 years old;
- (2) have a high school diploma or GED;
- (3) have completed a First Aid and cardiopulmonary resuscitation (CPR) course as described in Rule .1708(b)(3) and (4) of this Section; within 12 months prior to caring for children;
- (4) have completed a health questionnaire;
- (5) have proof of negative results of a tuberculosis test completed within 12 months prior to the first day of providing care;
- (6) have submitted criminal records background check forms as required in Rule .2703 of this Chapter;
- (7) have documentation of annual on-going training as described in Rule .1703(d) of this Section after the first year of employment;
- (8) have completed ITS-SIDS training, if licensed to care for infants;
- (9) have completed Recognizing and Responding to Suspicions of Child Maltreatment training; and
- (10) have documentation that the operator has reviewed the requirements found in this Chapter, including the Emergency Preparedness and Response Plan, and in G.S. Chapter 110, Article 7.

While the individual provides care at a family child care home, copies of required information required by in Subparagraphs (1) through (10) of this Paragraph shall be on file in the home and available for review by the Division.

(b) An individual who provides care for less than five hours in a week during planned absences of the operator shall be literate and meet all requirements listed in Paragraph (a) of this Rule, Rule except the requirements for annual training and a high school diploma or GED.

(c) The operator shall conduct 16 hours of orientation with any all caregivers, prior to the individual caring for children, including substitute providers, and volunteers volunteers, and uncompensated providers, who are providing care, care prior to the individual caring for children. The orientation shall include an overview of the following topics, specifically focusing on the operation of the facility:

- (1) recognizing, responding to, and reporting child abuse, neglect, or maltreatment pursuant to G.S. 110-105.4 and G.S. 7B-301;
- (2) review of the home's operational policies, including the written plan of care, safe sleep policy, the transportation policy, identification of building and premises safety issues, the emergency medical care plan plan, and the Emergency Preparedness and Response Plan;
- (3) adequate supervision of children in accordance with Rule .1711(a) of this Section;
- (4) information regarding prevention of shaken baby syndrome, abusive head trauma, and child maltreatment;

- (5) prevention and control of infectious diseases, including immunization;
- (6) firsthand observation of the home's daily operations;
- (7) instruction regarding assigned duties;
- (8) instruction in the maintenance of a safe and healthy environment;
- (9) instruction in the administration of medication to children in accordance with Rule .1720(b) of this Section;
- (10) review of the home's purposes and goals;
- (11) review of G.S. 110, Article 7 and 10A NCAC 09;
- (12) review of Section .2800 of this Chapter if the operator has a two- through five- star license at the time of employment;
- ~~(12)~~(13) an explanation of the role of State and local government agencies in the regulation of child care, their impact on the operation of the center, and their availability as a resource;
- ~~(13)~~(14) an explanation of the individual's obligation to cooperate with representatives of State and local government agencies during visits and investigations; **and**
- ~~(14)~~(15) prevention of and response to emergencies due to food and allergic **reactions. reactions; and**
- (16) review of the home's handling and storage of hazardous materials and the appropriate disposal of biocontaminants.**

The operator and individual providing care shall sign and date a statement that attests that this review was completed.

This statement shall be kept on file in the home **and** available for review by the Division.

(d) An individual who provides care during unplanned absences of the operator, such as medical emergencies, shall be 18 years old and submit criminal records check forms as required in Rule .2703(j) of this Chapter. The children of an emergency caregiver shall not be counted in the licensed capacity for the first day of the emergency caregiver's service.

History Note: Authority G.S. 110-85; 110-88; 110-91; 143B-168.3;

Eff. October 1, 2017, 2017;

Amended Eff. March 1, 2019.

10A NCAC 09 .2701 is readopted with changes as published in 32:14 NCR 1349 as follows:

SECTION .2700 - CRIMINAL RECORDS BACKGROUND CHECKS

10A NCAC 09 .2701 SCOPE

The rules in this Section shall apply to all child care providers as defined in G.S.110-90.2. The Division, in accordance with G.S.110-90.2, shall determine if an individual is a qualified child care provider. An individual may work or be present in any child care facility during the time the individual holds a valid qualification letter from the Division.
~~after the Division's determination that the individual is a qualified child care provider.~~

History Note: Authority G.S. 110-85; 110-90.2;

Eff. March 1, ~~2014~~. 2014;

Readopted January 1, 2019.

10A NCAC 09 .2702 is readopted with changes as published in 32:14 NCR 1349 as follows:

10A NCAC 09 .2702 DEFINITIONS

For purposes of this Section:

- (1) a "qualified child care provider" means an individual who ~~the Division has determined~~ is fit to have responsibility for the safety and well-being of children based on ~~the~~ their criminal history ~~as set forth and~~ all other requirements in accordance with G.S. 110-90.2.
- (2) a "disqualified child care provider" means an individual ~~who:~~ who
 - (a) ~~the Division has determined~~ is not fit to have responsibility for the safety and well-being of children based on ~~the~~ their criminal history and all other requirements in accordance with G.S. ~~110-90.2(a)(3); 110.90.2.~~
 - (b) is classified within the prohibited list provided in G.S. 110-90.2(a1);
 - (c) the Division determines to be an habitually excessive user of alcohol, who illegally uses narcotic or other impairing drugs, or who is mentally or emotionally impaired to an extent that may be injurious to children;
 - (d) refuses to consent to a criminal history record check; or
 - (e) intentionally falsifies any information required to conduct a criminal history record check.
- (3) a "provisional child care provider" means an individual who:
 - (a) [currently] resides outside the State of North Carolina or has resided outside the State of North Carolina at any time during the five years prior to submitting documents for a criminal history record check in accordance with 10A NCAC 09 .2703;
 - (b) has provided a copy of the county criminal history from the county where they [currently] reside outside the State of North Carolina or from the county or counties where they have resided outside the State of North Carolina in the past five years; and
 - (c) is fit to have responsibility for the safety and well-being of children based on their criminal history and all other requirements in accordance with G.S. 110-90.2(b), but the Division has not yet received the results of the state sex offender registry check, the state abuse and neglect registry, or the state criminal history check from the state or states in which the individual [currently] resides or has resided at any time during the five years prior to submitting documents for a criminal history check in accordance with 10A NCAC 09 .2703.
- ~~(3)(4)~~ (4) a "qualification letter" or "qualifying letter" means the letter issued by the Division notifying an individual that he or she is a qualified child care provider;
- ~~(4)(5)~~ (5) a "conviction" includes when a plea of guilty or no contest is accepted by the trial ~~court, or entry of court or a court enters~~ an order granting a prayer for judgment continued; and
- ~~(5)(6)~~ (6) a "pending criminal charge" includes, but is not limited to, a charge that has been deferred pursuant to G.S. 15A-1341(a1).

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History Note: Authority G.S. 110-85; 110-90.2; 110-90.2(a)(3); 114-19.5; 143B-168.3; S.L. 1995, c. 507, s.
23.25;
Temporary Adoption Eff. January 1, 1996;
Eff. April 1, 1997;
Amended Eff. March 1, 2014; November 1, 2007; April 1, ~~2003~~, 2003;
Readopted Eff. January 1, 2019.

10A NCAC 09 .2703 is readopted with changes as published in 32:14 NCR 1349-1350 as follows:

10A NCAC 09 .2703 CRIMINAL HISTORY RECORD CHECK REQUIREMENTS FOR CHILD CARE PROVIDERS

(a) In addition to the requirements in Rules .0302 and .1702 of this Chapter, a child care provider shall submit the following to the Division prior to the issuance of a license or prior to beginning employment:

- (1) a signed and completed Authority for Release of Information form;
- (2) fingerprint impressions submitted on the form(s) forms required by the Division and State Bureau of Investigation; and
- (3) if a child care provider is an out-of-state resident, he or she shall also submit a certified local history from the Clerk of Superior Court in his or her county of residence.

All required forms can be found on the Division's website at http://ncchildcare.dhhs.state.nc.us/general/dhhscre_childcare.asp.

(b) If the child care provider has a criminal history of convictions, pending indictment of a crime, or pending criminal charges, he or she may submit to the Division additional information concerning the conviction or charges that the Division shall use in making the determination of the child care provider's qualification. The Division shall also consider the following in making its decision:

- (1) the length of time since conviction;
- (2) whether the child care provider is currently on probation;
- (3) the nature of the offense;
- (4) the circumstances surrounding the commission of the offense or offenses;
- (5) the evidence of rehabilitation;
- (6) the number and type of prior offenses; and
- (7) the age of the child care provider at the time of occurrence.

(c) If the child care provider is a firm, partnership, association, or corporation, the chief executive officer or other person serving in like capacity or a person designated by the chief executive officer as responsible for the operation of the facility, shall complete the criminal history record check as specified in Paragraph (a) of this Rule.

(d) If a Letter of Intent to Operate pursuant to G.S. 110-106 is submitted to the Division, the person signing the Letter of Intent shall submit all forms as required in Paragraph (a) of this Rule.

(e) Child care providers must shall have a valid qualification letter prior to employment or living in the family child care home home, and the qualification letter must shall be kept on file at the facility for review by representatives of the Division.

(f) Provisional child care providers may be employed at a child care facility or reside in a family child care home, nonlicensed home, or child care center in a residence and shall be counted in staff/child ratio. Provisional child care providers shall be supervised at all times by an individual who received a qualifying result on a criminal background check within the past three years and shall not be left alone with children. Owners found to be in violation of this

Paragraph may be issued an administrative action up to and including revocation of their child care license or notice of compliance in accordance with Section .2200 of this Chapter.

(g) After six months, the Division shall issue a qualification letter to a provisional child care provider if the Division does not receive a response to its request for the state sex offender registry check, the state abuse and neglect registry, or the state criminal history check from the state or states in which the provisional provider currently resides or has resided at any time during the five years prior to submitting documents for a criminal history check. However, nothing in this Rule shall prevent the Division from disqualifying a provisional child care provider at a later date based upon information received from any other state after six months have elapsed.

~~(f)(h)~~ Child care providers found to be disqualified ~~are~~ shall not ~~be~~ eligible for employment in child care until a qualification letter has been issued by the Division.

~~(g)(i)~~ Child care providers determined by the Division to be disqualified shall be terminated by the center or family child care home immediately upon receipt of the disqualification notice.

~~(h)(j)~~ Disqualification of a child care provider living in a family child care home or a center located in a residence shall be grounds for issuance of a summary suspension of the ~~license~~ family child care home ~~[or center in a residence]~~ license in accordance with 10A NCAC 09 .2207. .2213.

~~(i)(k)~~ Refusal on the part of the employer to dismiss a child care provider who has been found to be disqualified shall be grounds for suspension, denial, or revocation of the license or any other administrative action or civil penalty permitted by law or rule. If an applicant appeals the disqualification, the child care provider shall not be employed during the appeal process.

~~(j)(l)~~ Operators, as defined by G.S. 110-86(7), shall include the criminal history mandatory reporting requirement in all new employee orientation information. ~~Mandatory reporting requires all~~ All child care providers and household members who have incurred any pending charges, indictments or convictions (other than minor traffic offenses) since the last qualification letter was issued by the Division ~~to~~ shall notify the operator of such charges within five business days or before returning to work, whichever comes first. The operator shall notify the Division of any such pending charges, ~~indictments~~ indictments, or convictions within one business day of being notified.

~~(k)(m)~~ The qualification letter ~~is~~ shall be valid for a maximum of three years from the date of issuance.

~~(l)(n)~~ Prior to the expiration date of the qualification letter, the child care provider shall complete and submit the forms listed in Paragraph (a) of this Rule.

~~(m)(o)~~ After a child care provider has been qualified, the Division ~~may~~ shall complete a new criminal history record check ~~if at any time when the Department of Social Services or~~ the Division of Child Development and Early Education conducts an investigation ~~that references~~ involving alleged criminal activity by the child care provider.

~~(n)(p)~~ ~~Any individuals~~ Individuals who live in the household who have had their 16th birthday after the initial licensing of a family child care ~~home, home~~ shall complete and submit the forms listed in Paragraph (a) of this Rule to the Division within five business ~~days, days of their 16th birthday.~~

~~(o)(q)~~ Child care operators ~~must~~ shall notify the Division of ~~any~~ all new child care providers who are hired or ~~have~~ moved into the home ~~or center located with a residence~~ within five business days by submitting the form provided by the Division.

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History Note: Authority G.S. 110-85; 110-86(7); 110-90.2; 110-90.2(a); 110-106; 114-19.5; 143B-168.3; S.L.
2012-160, s.1;
Temporary Adoption Eff. January 1, 1996;
Eff. April 1, 1997;
Amended Eff. March 1, 2014; November 1, ~~2007~~. 2007;
Readopted Eff. January 1, 2019.

10A NCAC 09 .2704 is readopted with changes as published in 32:14 NCR 1350 as follows:

**10A NCAC 09 .2704 CRIMINAL HISTORY RECORD CHECK REQUIREMENTS FOR
NONLICENSED CHILD CARE PROVIDERS**

(a) A nonlicensed child care provider shall submit the following to the local purchasing agency prior to caring for children and receiving subsidy payments:

- (1) a signed Authority for Release of Information using the form provided by the Division;
- (2) fingerprint impressions submitted on the form(s) forms required by the Division and State Bureau of Investigation; and
- (3) if a prospective child care provider is an out-of-state resident, he or she shall also submit a certified local history from the Clerk of Superior Court in his or her county of residence.

This Rule applies to any individuals individual over 15 years old who move moves into the household, or any individuals individual who live lives in the household who have has had his or her 16th birthday whichever is earlier after the initial approval, including family members and non-family members who use the home either on a permanent or temporary basis as their primary residence. The individual shall submit the items in this Paragraph to the local purchasing agency within five business days of moving into the home or their 16th birthday.

(b) New nonlicensed child care providers shall submit the a complete and accurate packet no later than five business days after applying for enrollment as a nonlicensed child care provider of subsidized child care. If more than three years have elapsed since the a criminal history record check has been completed and subsidy funds were not received, then a new criminal history record check must shall be submitted by the nonlicensed child care provider and any all household member over 15 years old.

(c) Any individual over 15 years old, including family members and non-family members who use the home either on a permanent or temporary basis as their primary residence, shall submit all criminal history record check forms as required in Subparagraphs (a)(1) and (a)(2) of this Rule, Rule within five business days of joining the household.

(d) If a nonlicensed child care provider has a criminal history of convictions, pending indictment of a crime, or pending criminal charges, he or she may submit to the Division additional information concerning the conviction or charges that could be used by the Division shall use in making the determination of the child care provider's qualification. The Division shall consider the following in making a decision:

- (1) the length of time since conviction;
- (2) whether the nonlicensed child care provider is currently on probation;
- (3) the nature of the offense;
- (4) the circumstances surrounding the commission of the offense or offenses;
- (5) the evidence of rehabilitation;
- (6) the number and type of prior offenses; and
- (7) the age of the nonlicensed child care provider at the time of occurrence.

(e) The local purchasing agency shall mail the Authority for Release of Information Information, using the form provided by the Division, and fingerprint impressions to the Division no later than five business days after receipt. A

copy of the submitted information shall be maintained in the nonlicensed child care provider's file until the notice of qualification is received by the nonlicensed child care provider. The notice of qualification shall be maintained in the nonlicensed child care provider's file. The local purchasing agency shall keep the child care provider's file.

(f) A nonlicensed child care provider shall not receive payment during the period in which the ~~state~~ State and federal criminal history record check is being completed.

(g) Disqualification of a nonlicensed child care provider by the Division shall be reasonable cause for the local purchasing agency to deny payment.

(h) If a nonlicensed child care provider disagrees with the decision of disqualification and files a civil action in district court, the provider may continue to operate as a nonlicensed child care provider, but shall not receive payment during the proceedings. If the determination in the civil action is that the nonlicensed child care provider is qualified, the nonlicensed provider shall receive retroactive payment for the uncompensated care provided during the proceedings.

(i) After a nonlicensed child care provider is qualified, the Division ~~may~~ shall complete a new criminal history record check ~~if at any time when the Department of Social Services or~~ the Division of Child Development and Early Education conducts an investigation ~~that references~~ involving alleged criminal activity by the child care provider. If the Division requests a new criminal history record check, the child care provider shall complete and submit the forms listed in Paragraph (a) of this Rule to the Division within five business days of the Division's request.

(j) The qualification letter ~~is~~ shall be valid for a maximum of three years from the date of issuance.

(k) Prior to the expiration date of the qualification letter, the nonlicensed child care provider shall complete and submit the forms described in Paragraph (a) of this Rule.

(l) Nonlicensed child care providers and household members ~~must~~ shall have a valid qualification letter prior to receiving subsidy payments.

*History Note: Authority G.S. 110-90.2; 114-19.5; 143B-168.3; S.L. 2012-160, s. 1;
Temporary Adoption Eff. January 1, 1996;
Eff. April 1, 1997;
Amended Eff. March 1, 2014; December 1, 2007; April 1, 2003- 2003;
Readopted Eff. January 1, 2019.*

1 10A NCAC 09 .2801 is readopted with changes as published in 32:14 NCR 1350 as follows:

2
3 **SECTION .2800 - ~~VOLUNTARY~~ TWO THROUGH FIVE STAR RATED LICENSES**

4
5 **10A NCAC 09 .2801 SCOPE**

6 (a) This Section ~~applies~~ shall apply to all child care facilities that have achieved or wish to achieve a ~~voluntary~~ rated

7 license of two stars or higher. ~~higher or that apply to be assessed for a voluntary rated license of two stars or higher.~~

8 (b) A child care facility ~~is~~ shall be eligible for a ~~voluntary~~ rated license of two through five ~~stars~~. stars upon application

9 and assessment of compliance with the requirements of this Section.

10 (c) A one-star rated license shall be issued to a child care facility ~~when compliance~~ if it complies with G.S. 110-91

11 and this ~~Chapter~~. Chapter is determined.

12 ~~(e)~~(d) No requirement in any component of a two-star or higher rating shall be less than the requirements for a one-

13 star rating described in G.S. 110-91 and this Chapter. Prior to issuance of an initial two through five-star rating, all

14 requirements in G.S. 110-91 and this Chapter ~~must~~ shall be ~~in compliance met~~ at the time the program is ~~assessed.~~

15 assessed for a higher rating. The requirements for a ~~voluntary~~ rated license of two stars or higher ~~are~~ shall be in

16 addition to the standards found in G.S. 110-91 and this Chapter.

17 ~~(d)~~(c) Nothing in this Section ~~precludes or interferes~~ shall preclude or interfere with issuance of an administrative

18 action as allowed by G.S. ~~110~~ 110, Article 7 and this Chapter.

19 ~~(e) As used in this Section a two-component license refers to a license issued based on an evaluation of program~~

20 ~~standards and education standards.~~

21
22 *History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;*

23 *Eff. April 1, 1999;*

24 *Amended Eff. July 1, 2010; May 1, ~~2006~~, 2006;*

25 *Readopted Eff. March 1, 2019.*

10A NCAC 09 .2802 is readopted with changes as published in 32:14 NCR 1350-1351 as follows:

**10A NCAC 09 .2802 APPLICATION FOR A ~~VOLUNTARY~~ TWO THROUGH FIVE STAR RATED
LICENSE**

(a) After a licensed child care center or home has been in operation for a minimum of six consecutive months, the ~~procedures in this Rule apply to request~~ operator may apply for an initial two- through five-star rated ~~license~~ license. ~~or to request that a rating be changed to a two- through five star rated license.~~

(b) The operator shall submit a completed application to the Division for a ~~voluntary~~ two- through five-star rated license on the form provided by the Division.

(c) An operator may apply for a star rating based on the total number of points achieved for each component of the ~~voluntary two- through five-star~~ rated license. In order to achieve a two- through five-star rating, ~~for a two-component~~ license the minimum score achieved ~~must~~ shall be a least four points as follows:

<u>Total Number of Points</u>	<u>Star Rating</u>
<u>4 through 6</u>	<u>Two Stars</u>
<u>7 through 9</u>	<u>Three Stars</u>
<u>10 through 12</u>	<u>Four Stars</u>
<u>13 through 15</u>	<u>Five Stars</u>

TOTAL NUMBER OF POINTS	RATING
4 through 6	Two Stars
7 through 9	Three Stars
10 through 12	Four Stars
13 through 15	Five Stars

(d) Facilities with a four or five-star rated license that are licensed to serve four-year-old children ~~must~~ shall implement a curriculum as defined in 10A NCAC 09 ~~.0102~~ .0102(10) with their four year olds. ~~This requirement must be met in any licensed child care facility.~~

(e) A Division representative shall assess the facility requesting a ~~voluntary~~ two- through five-star rated license to determine if all applicable requirements have been met to achieve the score for the requested star rating. The assessment ~~may~~ shall include a review of Division records and site visits.

(f) Operators requesting an initial three or more points for program standards shall request an Environment Rating Scale assessment from the Division. The Division shall ~~provide~~ arrange for ~~the~~ Infant/Toddler Environment Rating Scale Revised Edition, Early Childhood Environment Rating Scale - Revised Edition, School-Age Care Environment Rating Scale, or Family Child Care Environment Rating Scale - Revised Edition assessments to be completed, as appropriate for the program, free of ~~charge.~~ charge to operators requesting an initial three or more points for program standards. ~~[For centers]~~ Centers located in a residence with a licensed capacity of 3 to 12 children [located in a

1 ~~residence,]~~ shall complete a Family Child Care Rating Scale- Revised Edition assessment. ~~[assessment shall be~~
2 ~~completed.]~~

3 (g) Upon completion of the Division's assessment:

4 (1) If the assessment indicates all the applicable requirements to achieve the score for the requested
5 rating have been met, the Division shall issue the rating.

6 (2) If the assessment indicates all the applicable requirements to achieve the score for the requested
7 rating ~~are not~~ have not been met, the Division shall notify the operator of the requirements that were
8 not met and the requested ~~voluntary two- through five-star~~ rating shall not be issued. The operator
9 may:

10 (A) ~~Accept~~ accept the rating for which the Division has found the operator to be eligible;

11 (B) ~~Withdraw~~ withdraw the request and reapply when the identified requirements to achieve
12 the score for the requested rating have been met; or

13 (C) ~~Appeal~~ appeal the denial of the requested rating as provided in G.S. 110-94.

14
15 *History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b);*
16 *Eff. April 1, 1999;*
17 *Amended Eff. September 1, 2012; July 1, 2010; May 1, 2006. 2006;*
18 *Readopted Eff. March 1, 2019.*

1 **10A NCAC 09 .2806 is readopted with changes as published in 32:14 NCR 1351 as follows:**

2
3 **10A NCAC 09 .2806 CAREGIVING ACTIVITIES FOR PRESCHOOL-AGED CHILDREN**

4 (a) Each center shall comply with the requirements in Rule .0508 of this Chapter for written activity schedules and
5 ~~plans,~~ plans and in Rule .0509 of this Chapter for general activity requirements.

6 (b) Each center providing care to preschool-age children ~~aged two~~ [three] ~~years old~~ shall comply with the requirements
7 for activity areas for preschool-age children in Rule .0510 of this Chapter, except that all five of the activity areas
8 listed in G.S. 110-91(12) shall be available each day and the activities listed in Rule .0510(c) ~~.0510(6)~~ of this Chapter
9 shall be offered for each group of children at least once per week.

10 (c) The requirements for activities for infants and toddlers set forth in Rule .0511 of this Chapter shall apply for
11 children under ~~two~~ three years of age.

12
13 *History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;*

14 *Eff. April 1, 1999;*

15 *Prior to amendment of May 1, 2006 this language was located in Rule .1612;*

16 *Amended Eff. May 1, 2013; May 1, ~~2006~~ 2006;*

17 *Readopted Eff. March 1, 2019.*

1 10A NCAC 09 .2809 is readopted with changes as published in 32:14 NCR 1351 as follows:

2
3 10A NCAC 09 .2809 ENHANCED SPACE REQUIREMENTS

4 (a) There shall be at least 30 square feet inside space per child per the total licensed capacity and ~~100~~ 75 square feet

5 outside space ~~per the total licensed capacity.~~ for each child using the outdoor learning environment at any one time.

6 ~~Or,~~ In the alternative there shall be at least 35 square feet inside space per child per the total licensed capacity and ~~100~~

7 75 square feet outside space per child for at least 50 percent of the total licensed capacity.

8 (b) There ~~must~~ shall be an area ~~which~~ that can be arranged for administrative and private conference activities.

9
10 *History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;*

11 *Eff. April 1, 1999;*

12 *Prior to amendment of May 1, 2006 this language was located in Rule .1604;*

13 *Amended Eff. May 1, ~~2006~~. 2006;*

14 *Readopted Eff. March 1, 2019.*

10A NCAC 09 .2817 is readopted with changes as published in 32:14 NCR 1351-1352 as follows:

**10A NCAC 09 .2817 ENHANCED PROGRAM STANDARDS FOR A TWO COMPONENT RATED
LICENSE FOR CHILD CARE CENTERS**

(a) ~~This Rule applies to evaluating the program standards for a two component rated license for child care centers.~~
To achieve one point for program standards, the center shall be in compliance with all applicable requirements in Rules .0513-.0516 of this Chapter.

(b) ~~To achieve two through seven points for program standards, the center shall meet all the applicable requirements in Rule .2806 of this Section and the criteria listed in the following chart:~~

<u>Program Standards (.2817)</u> <u>Point Level</u>	<u>Staff/Child Ratio Requirement</u> <u>[Meets Enhanced Staff/Child Ratio in Rule .2818(b)]</u>	<u>[Meets Enhanced Staff/Child Ratio in Rule .2818(e)]</u>	<u>Space Requirement</u> <u>[Meets Enhanced Space in Rule .2809]</u>	<u>Environment Rating Scale (ERS) Requirements</u> <u>(as referenced in Rule .2802(f) of this Section)</u>
2 Points	<input checked="" type="checkbox"/> Meets Enhanced Staff/Child Ratio in Rule .2818(b). OR		<input checked="" type="checkbox"/> Meets Enhanced Space in Rule .2809	N/A
3 Points	<input checked="" type="checkbox"/> Meets Enhanced Staff/Child Ratio in Rule .2818(b). OR		<input checked="" type="checkbox"/> Meets Enhanced Space in Rule .2809; AND	Each classroom has at least a score of 4.0 or higher
4 Points	<input checked="" type="checkbox"/> Meets Enhanced Staff/Child Ratio in Rule .2818(b). AND		[Center may choose to meet this requirement, AND] Meets Enhanced Space in Rule .2809; AND	Have an average combined score of 4.5, with no one classroom score lower than 4.0 in each classroom evaluated
5 Points	<input checked="" type="checkbox"/> Meets Enhanced Staff/Child Ratio in Rule .2818(b). AND		[Center may choose to meet this requirement, AND] Meets Enhanced Space in Rule .2809; <input checked="" type="checkbox"/> AND	Have an average combined score of 4.75, with no one classroom score lower than 4.0 in each classroom evaluated
6 Points	<input checked="" type="checkbox"/> Meets Enhanced Staff/Child Ratio in Rule .2818(b). AND		<input checked="" type="checkbox"/> Meets Enhanced Space in Rule .2809; AND	Have an average combined score of 5.0, with no one classroom score lower than 4.0 in each classroom evaluated
7 Points	<input checked="" type="checkbox"/> Meets Enhanced Staff/Child Ratio in Rule .2818(b), and (c) AND	<input checked="" type="checkbox"/> AND	<input checked="" type="checkbox"/> Meets Enhanced Space in Rule .2809; AND	Have a score of 5.0 in each classroom evaluated

1 ~~(b) To achieve two points for program standards, the center shall meet all the applicable requirements in Rules .2804~~
2 ~~.2808 of this Section, and either the staff/child ratio requirements in Rule .2818(b) or the space requirements in Rule~~
3 ~~.2809 of this Section shall be met.~~

4 ~~(c) To achieve three points for program standards, the center shall meet all the applicable requirements in Rules .2804~~
5 ~~.2808 and either the staff/child ratio requirements in Rule .2818(b) or the space requirements in Rule .2809 of this~~
6 ~~Section shall be met, and have an average score of 4.0 on the appropriate environment rating scale referenced in Rule~~
7 ~~.2802(e) of this Section in each classroom evaluated.~~

8 ~~(d) To achieve four points for program standards, the center shall meet all the applicable requirements in Rules .2804~~
9 ~~.2808 and .2818(b) of this Section, and have an average combined score of 4.5, with no one classroom score lower~~
10 ~~than 4.0 on the appropriate environment rating scale referenced in Rule .2802(e) of this Section for all classrooms~~
11 ~~evaluated.~~

12 ~~(e) To achieve five points for program standards, the center shall meet all the applicable requirements in Rules .2804~~
13 ~~— .2808 and .2818(b) of this Section, and have an average combined score of 4.75, with no one classroom score lower~~
14 ~~than 4.0, on the appropriate environment rating scale referenced in Rule .2802(e) of this Section for all classrooms~~
15 ~~evaluated.~~

16 ~~(f) To achieve six points for program standards, the center shall meet all the applicable requirements in Rules .2804~~
17 ~~.2809 and .2818(b) of this Section, and have an average combined score of 5.0, with no one classroom score lower~~
18 ~~than 4.0 on the appropriate environment rating scale referenced in Rule .2802(e) of this Section for all classrooms~~
19 ~~evaluated.~~

20 ~~(g) To achieve seven points for program standards, the center shall meet all the applicable requirements in Rules~~
21 ~~.2804 — .2809 and .2818(c) of this Section, and have an average score of 5.0 on the appropriate environment rating~~
22 ~~scale referenced in Rule .2802(e) of this Section in each classroom evaluated.~~

23 ~~(h) For centers with a licensed capacity of 3 to 12 children located in a residence, a Family Day Care Rating Scale~~
24 ~~shall be the rating scale used in Paragraphs (c), (d), (e), (f) and (g) of this Rule.~~

25
26 *History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;*
27 *Eff. May 1, 2006; 2006;*
28 *Readopted Eff. March 1, 2019.*

10A NCAC 09 .2818 is readopted with changes as published in 32:14 NCR 1352-1353 as follows:

**10A NCAC 09 .2818 ENHANCED STAFF/CHILD RATIOS FOR A ~~TWO-COMPONENT~~ RATED
LICENSE FOR CHILD CARE CENTERS**

(a) This Rule applies shall apply to evaluating the staff/child ratios and maximum group sizes for a ~~two-component~~ rated license for child care centers.

(b) The center shall comply with the following ~~staff-child~~ staff/child ratios and maximum group sizes.

<u>Age</u>	<u>Ratio Staff/Children</u>	<u>Maximum Group Size</u>
<u>0 to 12 Months</u>	<u>1/5</u>	<u>10</u>
<u>1 to 2 Years</u>	<u>1/6</u>	<u>12</u>
<u>2 to 3 Years</u>	<u>1/9</u>	<u>18</u>
<u>3 to 4 Years</u>	<u>1/10</u>	<u>20</u>
<u>4 to 5 Years</u>	<u>1/13</u>	<u>25</u>
<u>5 to 6 Years</u>	<u>1/15</u>	<u>25</u>
<u>6 Years and Older</u>	<u>1/20</u>	<u>25</u>

AGE	RATIO STAFF/CHILDREN	MAXIMUM GROUP SIZE
0 to 12 Months	1/5	10
1 to 2 Years	1/6	12
2 to 3 Years	1/9	18
3 to 4 Years	1/10	20
4 to 5 Years	1/13	25
5 to 6 Years	1/15	25
6 Years and Older	1/20	25

(c) To earn seven points for program standards, the center shall comply with the following ~~staff-child~~ staff/child ratios and maximum group sizes.

<u>Age</u>	<u>Ratio Staff/Children</u>	<u>Maximum Group Size</u>
<u>0 to 12 Months</u>	<u>1/4</u>	<u>8</u>
<u>1 to 2 Years</u>	<u>1/5</u>	<u>10</u>
<u>2 to 3 Years</u>	<u>1/8</u>	<u>16</u>
<u>3 to 4 Years</u>	<u>1/9</u>	<u>18</u>
<u>4 to 5 Years</u>	<u>1/12</u>	<u>24</u>
<u>5 to 6 Years</u>	<u>1/14</u>	<u>25</u>

<u>Age</u>	<u>Ratio Staff/Children</u>	<u>Maximum Group Size</u>
<u>6 Years and Older</u>	<u>1/19</u>	<u>25</u>

MAXIMUM

AGE	RATIO STAFF/CHILDREN	GROUP SIZE
0 to 12 Months	1/4	8
1 to 2 Years	1/5	10
2 to 3 Years	1/8	16
3 to 4 Years	1/9	18
4 to 5 Years	1/12	24
5 to 6 Years	1/14	25
6 Years and Older	1/19	25

(d) The provisions of rules 10A NCAC 09 .0712(a)(1), (2) and .0713(b) through (j) [.0713(a)(1) through (8), (d), and (e)] .0713(a) through (e) shall apply in evaluating the staff/child ratios and maximum group sizes within this Rule.

(e) The staff/child ratio applicable to a classroom shall be posted in that classroom in an area that parents are able to view at all times.

History Note: Authority G.S. 110-88(7); 143B-168.3;

Eff. May 1, 2006; 2006;

Readopted Eff. March 1, 2019.

10A NCAC 09 .2819 is readopted with changes as published in 32:14 NCAC 1353-1355 as follows:

**10A NCAC 09 .2819 ENHANCED EDUCATION STANDARDS FOR ON-SITE ADMINISTRATORS
FOR A RATED LICENSE FOR CHILD CARE CENTERS**

(a) This Rule ~~applies~~ shall apply to evaluating the education standards for an on-site administrator for child care centers. The points for education standards ~~are~~ shall be determined by applying this Rule ~~along with~~ and Rules .2820, .2821, .2822 and .2823 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained ~~under~~ pursuant to each Rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two through seven points for education standards, the on-site administrator shall meet the applicable requirements in the following chart:

<u>On-Site Administrator (.2819) Point Level</u>	<u>NC Early Childhood Administration Credential or its equivalent</u>	<u>Semester Hours and Type of Work Experience</u>	<u>If providing school-age care,</u>
<u>2 Points</u>	<u>Level I; and</u>	<u>2 years of full-time, verifiable early childhood experience; or</u> <u>1 year of child care administration experience; and</u>	<u>150 hours of verifiable time in a licensed child care program; or</u> <u>300 hours of verifiable time in an unlicensed school-age care or camp setting; or</u> <u>BSAC training.</u>
<u>3 Points</u>	<u>Level I; and</u>	<u>6 hours in early childhood education or child development; and either</u> <u>2 years of full-time, verifiable early childhood experience; or</u> <u>[+]</u> <u>1 year of child care administration experience; and</u>	<u>300 hours of verifiable time in a licensed child care program; or</u> <u>450 hours of verifiable time in an unlicensed school-age care or camp setting; or</u> <u>BSAC training.</u>
<u>4 Points</u>	<u>Level I; and</u>	<u>18 hours in early childhood education or child development; and 1 year of child care administration experience; or</u>	<u>450 hours of verifiable time in a licensed child care program; or</u>

<u>On-Site Administrator (.2819) Point Level</u>	<u>NC Early Childhood Administration Credential or its equivalent</u>	<u>Semester Hours and Type of Work Experience</u>	<u>If providing school-age care,</u>
		<u>6 hours in early childhood education or child development and 10 years of child care administration experience; and</u>	<u>600 hours of verifiable time in an unlicensed school-age care or camp setting; or</u> <u>BSAC training.</u>
<u>5 Points</u>	<u>Level II; and</u>	<u>2 years of full-time, verifiable early childhood experience; and</u>	<u>600 hours of verifiable time in a licensed child care program; or</u> <u>900 hours of verifiable time in an unlicensed school-age care or camp setting; or</u> <u>BSAC training or its equivalent.</u>
<u>6 Points</u>	<u>Level II; and</u>	<u>18 hours in early childhood education or child development; and either</u> <u>3 years of full-time verifiable early childhood experience in an early childhood center teaching young children; or</u> <u>3 years of child care administration experience; or</u> <u>3 years of a combination of both types of experience; and</u>	<u>750 hours of verifiable time in a licensed child care program; or</u> <u>1150 hours of verifiable time in an unlicensed school-age care or camp setting; or</u> <u>BSAC training.</u>
<u>7 Points</u>	<u>Level III; and either</u>	<u>4 years of full-time verifiable early childhood experience in an early childhood center teaching young children; or</u>	<u>900 hours of verifiable time in a licensed child care program; or</u> <u>1350 hours of verifiable time in an unlicensed school-age care or camp setting; or</u>

<u>On-Site Administrator (.2819) Point Level</u>	<u>NC Early Childhood Administration Credential or its equivalent</u>	<u>Semester Hours and Type of Work Experience</u>	<u>If providing school-age care,</u>
		<u>4 years of child care administration experience; or</u> <u>4 years of a combination of both types of experience; and</u>	<u>BSAC training.</u>

(c) Semester hours in early childhood education or child development shall not include the coursework necessary for the North Carolina Early Childhood Administration Credential (NCECAC).

(d) Completion of school-age experience requirements shall count toward meeting work experience requirements.

(b) To achieve two points, the on-site administrator shall have:

- (1) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and
- (2) Two years of full-time verifiable early childhood work experience, or one year experience in child care administration; and
- (3) If providing school-age care, 150 hours of verifiable experience working with school-aged children in a licensed child care program; or 300 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or shall complete the BSAC Training or its equivalent. Completion of these requirements shall count toward meeting experience requirements in Subparagraph (2) of this Paragraph.

(e) To achieve three points, the on-site administrator shall have:

- (1) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and
- (2) Six semester hours in early childhood education or child development (not including North Carolina Early Childhood Administration Credential coursework); and either
 - (A) Two years of full-time verifiable early childhood work experience; or
 - (B) One year of experience in child care administration; and
- (3) If providing school-age care, 300 hours of verifiable experience working with school-aged children in a licensed child care program; or 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or shall have completed the BSAC Training or its equivalent. Completion of these requirements may count toward meeting experience requirements in Subparagraphs (2)(A) and (B) of this Paragraph.

(d) To achieve four points, the on-site administrator shall have:

- (1) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and either

- (A) ~~18 semester hours in early childhood education or child development (not including North Carolina Early Childhood Administration Credential coursework) and one year of experience in child care administration; or~~
- (B) ~~Six semester hours in early childhood education or child development (not including North Carolina Early Childhood Administration Credential coursework), and 10 years of experience in child care administration; and~~
- (2) ~~If providing school age care, 450 hours of verifiable experience working with school aged children in licensed child care program; or 600 hours of verifiable experience working with school aged children in an unlicensed school age care or camp setting; or shall have completed the BSAC Training or its equivalent. Completion of these requirements may count toward meeting experience requirements in Subparagraphs (1)(A) and (B) of this Paragraph.~~
- (e) ~~To achieve five points, the on-site administrator shall have:~~
- (1) ~~A Level II North Carolina Early Childhood Administration Credential or its equivalent; and~~
- (2) ~~Two years of full time verifiable early childhood work experience; and~~
- (3) ~~If providing school age care, 600 hours of verifiable experience working with school aged children in a licensed child care program; or 900 hours of verifiable experience working with school aged children in an unlicensed school age care or camp setting; or shall have completed the BSAC training or its equivalent. Completion of these requirements may count toward meeting experience requirements in Subparagraph (2) of this Paragraph.~~
- (f) ~~To achieve six points, the on-site administrator shall have:~~
- (1) ~~A Level II North Carolina Early Childhood Administration Credential or its equivalent; and~~
- (2) ~~18 semester hours in early childhood education or child development (not including the North Carolina Early Childhood Administration Credential coursework or hours earned during the completion of the A.A.S degree); and either~~
- (A) ~~Three years of full time verifiable work experience in an early childhood center teaching young children; or~~
- (B) ~~Three years of administrative experience; or~~
- (C) ~~Three years of a combination of both; and~~
- (3) ~~If providing school age care, 750 hours of verifiable experience working with school aged children in a licensed child care program; or 1150 hours of verifiable experience working with school aged children in an unlicensed school age care or camp setting; or shall have completed the BSAC training or its equivalent. Completion of these requirements may count toward meeting experience requirements in Subparagraphs (2)(A) and (B) of this Paragraph.~~
- (g) ~~To achieve seven points, the on-site administrator shall:~~
- (1) ~~Have a Level III North Carolina Early Childhood Administration Credential or its equivalent; and~~
- (2) ~~Either:~~

1 (A) Four years of full time verifiable work experience in an early childhood center teaching
2 young children; or

3 (B) Four years of administrative experience; or

4 (C) Four years of a combination of both; and

5 (3) If providing school age care, 900 hours of verifiable experience performing administrative duties in
6 a licensed child care program serving school aged children; or 1350 hours of verifiable experience
7 performing administrative duties in an unlicensed school age care or camp setting; or shall have
8 completed the BSAC Training or its equivalent. Completion of these requirements may count
9 toward meeting experience requirements in Subparagraphs (2)(A), (B) and (C) of this Paragraph.

10 ~~(h)~~(e) For centers with a licensed capacity of 3 to 12 children located in a residence, **when if** an individual has
11 responsibility both for administering the child care program and for planning and implementing the daily activities of
12 a group of children, the educational requirements for lead teacher in Rule .2820 of this Section shall apply. All other
13 teachers shall follow the educational requirements for teachers in this Section.

14 ~~(i)~~(f) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum
15 of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its
16 equivalent.

17
18 *History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;*

19 *Eff. May 1, 2006;*

20 *Amended Eff. August 1, 2012; 2012;*

21 *Readopted Eff. March 1, 2019.*

10A NCAC 09 .2820 is readopted with changes as published in 32:14 NCR 1355-1358 as follows:

**10A NCAC 09 .2820 ENHANCED EDUCATION STANDARDS FOR LEAD TEACHERS FOR A
RATED LICENSE FOR CHILD CARE CENTERS**

(a) This Rule ~~applies~~ shall apply to evaluating all lead teachers in child care ~~centers.~~ ~~centers with regards to all lead teachers.~~ The points for education standards ~~are~~ shall be determined by applying this Rule ~~along with~~ and Rules .2819, .2821, .2822 and .2823 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained ~~under~~ pursuant to each Rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two through seven points for education standards, the lead teachers shall meet the applicable requirements in the following chart:

<u>Lead Teacher (.2820) Point Level</u>	<u>NC Early Childhood Credential or its equivalent</u>	<u>Certification on the NC Early Care and Education Professional Scale</u>	<u>Other Education and Experience Requirements</u>
<u>2 Points</u>	<u>75 percent of lead teachers; or</u>	<u>75 percent of lead teachers at Level I or higher; and</u>	<u>75 percent of lead teachers have completed or are enrolled in 3 semester hours in early childhood education or child development.</u>
<u>3 Points</u>	<u>All lead teachers; or</u>	<u>All lead teachers at a Level I or higher; and either</u>	<u>75 percent of the lead teachers shall have:</u> (1) <u>completed 3 semester hours in early childhood education and have completed or are enrolled in 3 additional semester hours in early childhood education or child development; or</u> (2) <u>completed 1 year full-time verifiable early childhood work experience; or</u> (3) <u>have a Level II or higher certification on the ECE scale; or</u> (4) <u>Any combination of (1), (2), and (3) of this requirement.</u>
		<u>OR 50 percent of the lead teachers at a Level II or higher.</u>	
<u>4 Points</u>	<u>All lead teachers; or</u>	<u>All lead teachers at a Level I or higher; and either</u>	<u>75 percent of the lead teachers shall have:</u> (1) <u>completed 6 semester hours in early childhood education or childhood development and have completed or are</u>

<u>Lead Teacher (.2820) Point Level</u>	<u>NC Early Childhood Credential or its equivalent</u>	<u>Certification on the NC Early Care and Education Professional Scale</u>	<u>Other Education and Experience Requirements</u>
			<u>enrolled in 3 additional semester hours in early childhood education; or</u> (2) <u>completed 3 semester hours of early childhood education and have 3 years of full-time verifiable early childhood work experience; or</u> (3) <u>completed 5 years of full-time verifiable early childhood work experience; or</u> (4) <u>Any combination of (1), (2), and (3) of this requirement.</u>
		<u>OR 50 percent of the lead teachers shall have a Level III or higher certification on the ECE scale.</u>	
<u>5 Points</u>	<u>All lead teachers; or</u>	<u>All lead teachers at a Level I or higher; and</u>	<u>75 percent of the lead teachers shall have:</u> (1) <u>completed 9 semester hours in early childhood education or childhood development and have completed or are enrolled in 3 additional semester hours in early childhood education; and have 1 year of full-time verifiable early childhood work experience; or</u> (2) <u>have a Level IV or higher certification on the ECE scale and have 1 year of full-time verifiable early childhood work experience; or</u> (3) <u>Any combination of (1) and (2) of this requirement.</u>
<u>6 Points</u>	<u>All lead teachers; or</u>	<u>All lead teachers at a Level I or higher; and</u>	<u>50 percent of the lead teachers shall have either:</u> (1) <u>An A.A.S. degree in early childhood education or child development or an A.A.S. degree in any major with 12 semester hours in early childhood</u>

<u>Lead Teacher (.2820) Point Level</u>	<u>NC Early Childhood Credential or its equivalent</u>	<u>Certification on the NC Early Care and Education Professional Scale</u>	<u>Other Education and Experience Requirements</u>
			<u>education or child development and 1 year of full-time verifiable early childhood work experience; or</u> (2) <u>Completed 60 semester hours towards a BA/BS degree program with 12 semester hours in early childhood education and 1 year of full-time verifiable early childhood work experience; or</u> (3) <u>A Level VI certification on the ECE scale and 1 year of full-time verifiable early childhood work experience; or</u> (4) <u>Any combination of (1), (2) and (3) of this requirement.</u>
<u>7 Points</u>	<u>All lead teachers; or</u>	<u>All lead teachers at a Level I or higher; and</u>	<u>75 percent of the lead teachers shall have either:</u> (1) <u>An A.A.S. degree in early childhood education or child development or an A.A.S. degree in any major with 12 semester hours in early childhood education or child development and 2 years of full-time verifiable early childhood work experience; or</u> (2) <u>A Level VI certification on the ECE scale and 2 years of full-time verifiable early childhood work experience; or</u> (3) <u>Any combination of (1) and (2) of this requirement.</u>

(c) Semester hours in early childhood education or child development shall not include the coursework necessary for the North Carolina Early Childhood Credential.

(b) ~~To achieve two points, 75 percent of the lead teachers shall:~~

- (1) ~~Have the North Carolina Early Childhood Credential, its equivalent or a Level I or higher Early Educator Certification on the Early Care and Education Professional Scale (ECE scale); and~~

- 1 ~~(2) Have completed or enrolled in three semester hours in early childhood education or child~~
2 ~~development (not including North Carolina Early Childhood Credential coursework).~~
- 3 ~~(e) To achieve three points, all lead teachers shall have the North Carolina Early Childhood Credential, its equivalent~~
4 ~~or a Level I or higher certification on the ECE scale; and either~~
- 5 ~~(1) 75 percent of the lead teachers shall have:~~
- 6 ~~(A) Completed three semester hours in early childhood education and completed or are enrolled~~
7 ~~in three additional semester hours in early childhood education or child development (not~~
8 ~~including North Carolina Early Childhood Credential coursework); or~~
- 9 ~~(B) Completed one year full time verifiable early childhood work experience; or~~
- 10 ~~(C) A level II or higher certification on the ECE scale; or~~
- 11 ~~(D) Any combination of Parts (A) through (C) of this Subparagraph; or~~
- 12 ~~(2) 50 percent of the lead teachers shall have a Level II or higher certification on the ECE scale.~~
- 13 ~~(d) To achieve four points, all lead teachers shall have the North Carolina Early Childhood Credential, its equivalent,~~
14 ~~or Level I or higher certification on the ECE scale; and~~
- 15 ~~(1) Either 75 percent of the lead teachers shall have:~~
- 16 ~~(A) Completed six semester hours in early childhood education or child development (not~~
17 ~~including the North Carolina Early Childhood Credential coursework), and have completed~~
18 ~~or are enrolled in three additional semester hours in early childhood education; or~~
- 19 ~~(B) Completed three semester hours of early childhood education and have three years of full-~~
20 ~~time verifiable early childhood work experience; or~~
- 21 ~~(C) Five years of full time verifiable early childhood work experience; or~~
- 22 ~~(D) Any combination of Parts (A) through (C) of this Subparagraph; or~~
- 23 ~~(2) 50 percent of the lead teachers shall have a Level III or higher certification on the ECE scale.~~
- 24 ~~(e) To achieve five points, all lead teachers shall have the North Carolina Early Childhood Credential, its equivalent,~~
25 ~~or have a Level I or higher certification on the ECE scale and 75 percent of the lead teachers shall have:~~
- 26 ~~(1) Completed nine semester hours in early childhood education or child development (not including~~
27 ~~the North Carolina Early Childhood Credential coursework), and have completed or are enrolled in~~
28 ~~three additional semester hours in early childhood education, and have one year of full time~~
29 ~~verifiable early childhood work experience; or~~
- 30 ~~(2) A Level IV or higher certification on the ECE scale and have one year of full time verifiable early~~
31 ~~childhood work experience; or~~
- 32 ~~(3) Any combination of Subparagraphs (1) and (2) of this Paragraph.~~
- 33 ~~(f) To achieve six points, all lead teachers shall have the North Carolina Early Childhood Credential, its equivalent,~~
34 ~~or a Level I or higher certification on the ECE scale and 50 percent of the lead teachers shall have either:~~
- 35 ~~(1) An A.A.S degree in early childhood education or child development or an A.A.S degree in any~~
36 ~~major with 12 semester hours in early childhood education or child development and one year of~~
37 ~~full time verifiable early childhood work experience; or~~

- 1 (2) ~~Completed 60 semester hours towards a BA/BS degree program with 12 semester hours in early~~
2 ~~childhood education and one year of full time verifiable early childhood work experience; or~~
3 (3) ~~A Level VI certification on the ECE scale and one year of full time verifiable early childhood work~~
4 ~~experience; or~~
5 (4) ~~Any combination of Subparagraphs (1) through (3) of this Paragraph.~~
6 (g) ~~To achieve seven points, all lead teachers shall have the North Carolina Early Childhood Credential, its equivalent,~~
7 ~~or a Level I or higher certification on the ECE scale and 75 percent of the lead teachers shall have either:~~
8 (1) ~~An A.A.S. degree in early childhood education or child development or an A.A.S. degree in any~~
9 ~~major with 12 semester hours in early childhood education or child development and two years of~~
10 ~~full time verifiable early childhood work experience; or~~
11 (2) ~~A Level VI certification on the ECE scale and two years of full time verifiable early childhood work~~
12 ~~experience; or~~
13 (3) ~~Any combination of Subparagraphs (1) and (2) of this Paragraph.~~

14
15 History Note: ~~Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;~~
16 ~~Eff. August 1, 2012; 2012;~~
17 Readopted Eff. March 1, 2019.

10A NCAC 09 .2821 is readopted with changes as published in 32:14 NCR 1358-1359 as follows:

**10A NCAC 09 .2821 ENHANCED EDUCATION STANDARDS FOR TEACHERS FOR A RATED
LICENSE FOR CHILD CARE CENTERS**

(a) This Rule ~~applies~~ shall apply to evaluating all teachers in child care ~~centers.~~ ~~centers with regards to all teachers.~~
The points for education standards ~~are~~ shall be determined by applying this Rule ~~along with~~ and Rules .2819, .2820,
.2822, and .2823 of this Section. To determine the points attained for meeting the education standards, the lowest
number of points attained ~~under~~ pursuant to each Rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two through seven points for education standards, teachers counted in staff/child ratios shall meet the
applicable requirements in the following chart.

<u>Teacher (.2821) Point Level</u>	<u>NC Early Childhood Credential or its equivalent</u>	<u>Certification on the NC Early Care and Education Professional Scale</u>	<u>Other Education and Experience Requirements</u>
<u>2 Points</u>			<u>50 percent of the teachers shall:</u> (1) <u>Have 1 year of full-time verifiable early childhood work experience; or</u> (2) <u>Be enrolled in 3 semester hours in early childhood education or child development; or</u> (3) <u>Have any combination of (1) and (2) of this requirement.</u>
<u>3 Points</u>			<u>50 percent of the teachers shall have:</u> (1) <u>3 semester hours in early childhood education or child development; or</u> (2) <u>2 years of full-time verifiable early childhood work experience; or</u> (3) <u>Any combination of (1) and (2) of this requirement.</u>
<u>4 Points</u>	<u>50 percent of teachers; or</u>	<u>50 percent of teachers at a Level I or higher.</u>	
<u>5 Points</u>	<u>50 percent of teachers; or</u>	<u>50 percent of teachers at a Level I or higher; and</u>	<u>3 semester hours in early childhood education or child development; or</u>
		<u>50 percent of teachers at a Level II or higher; or</u>	
		<u>Any combination of the two options.</u>	

<u>Teacher (.2821) Point Level</u>	<u>NC Early Childhood Credential or its equivalent</u>	<u>Certification on the NC Early Care and Education Professional Scale</u>	<u>Other Education and Experience Requirements</u>
<u>6 Points</u>	<u>50 percent of teachers; or</u>	<u>50 percent of teachers at a Level I or higher; and either</u>	<u>(1) 3 semester hours in early childhood education or child development and 1 year of full-time verifiable early childhood work experience; or</u> <u>(2) A Level II or higher certification on the ECE scale and 1 year of full-time verifiable early childhood work experience; or</u> <u>(3) Any combination of (1) and (2) of this requirement.</u>
<u>7 Points</u>	<u>50 percent of teachers; or</u>	<u>50 percent of teachers at a Level I or higher; and either</u>	<u>(1) 6 semester hours in early childhood education or child development and 2 years of full-time verifiable early childhood work experience; or</u> <u>(2) A Level III or higher certification on the ECE scale and 2 years of full-time verifiable early childhood work experience; or</u> <u>(3) Any combination of (1) and (2) of this requirement.</u>

(c) Semester hours in early childhood education or child development shall not include the coursework necessary for the North Carolina Early Childhood Credential.

~~(b) To achieve two points, 50 percent of the teachers counted in staff/child ratios shall:~~

- ~~(1) Have one year of full time verifiable early childhood work experience; or~~
- ~~(2) Be enrolled in three semester hours in early childhood education, or child development; or~~
- ~~(3) Have any combination of Subparagraphs (1) and (2) of this Paragraph.~~

~~(e) To achieve three points, 50 percent of the teachers counted in staff/child ratios shall have:~~

- ~~(1) Three semester hours in early childhood education or child development; or~~
- ~~(2) Two years of full time verifiable early childhood work experience; or~~
- ~~(3) Any combination of Subparagraphs (1) and (2) of this Paragraph.~~

~~(d) To achieve four points, 50 percent of the teachers counted in staff/child ratios shall have the North Carolina Early Childhood Credential, its equivalent or have a Level I or higher certification on the ECE scale.~~

~~(e) To achieve five points, 50 percent of the teachers counted in staff/child ratios shall have either:~~

- 1 (1) ~~The North Carolina Early Childhood Credential, its equivalent or have a Level I or higher~~
2 ~~certification on the ECE scale and three semester hours in early childhood education or child~~
3 ~~development (not including North Carolina Early Childhood Credential coursework); or~~
4 (2) ~~A Level II or higher certification on the ECE scale; or~~
5 (3) ~~Any combination of Subparagraphs (1) and (2) of this Paragraph.~~
6 (f) ~~To achieve six points, 50 percent of the teachers counted in staff/child ratios shall have the North Carolina Early~~
7 ~~Childhood Credential, its equivalent or a Level I or higher certification on the ECE scale and either:~~
8 (1) ~~Three semester hours in early childhood education or child development (not including North~~
9 ~~Carolina Early Childhood Credential; and one year of full time verifiable early childhood work~~
10 ~~experience; or~~
11 (2) ~~A Level II or higher certification on the ECE scale and one year of full time early childhood work~~
12 ~~experience; or~~
13 (3) ~~Any combination of Subparagraphs (1) and (2) of this Paragraph.~~
14 (g) ~~To achieve seven points, 50 percent of the teachers counted in staff/child ratios shall have the North Carolina~~
15 ~~Early Childhood Credential, its equivalent or have a Level I or higher certification on the ECE scale and either:~~
16 (1) ~~Six semester hours in early childhood education or child development (not including North Carolina~~
17 ~~Early Childhood Credential coursework); and two years of full time verifiable early childhood work~~
18 ~~experience; or~~
19 (2) ~~A Level III or higher certification on the ECE scale and two years of full time verifiable early~~
20 ~~childhood work experience; or~~
21 (3) ~~Any combination of Subparagraphs (1) and (2) of this Paragraph.~~
22
23 History Note: ~~Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;~~
24 ~~Eff. August 1, 2012; 2012;~~
25 ~~Readoption Eff. March 1, 2019.~~

10A NCAC 09 .2822 is readopted with changes as published in 32:14 NCR 1359-1361 as follows:

**10A NCAC 09 .2822 ENHANCED EDUCATION STANDARDS FOR PROGRAM COORDINATORS
FOR A RATED LICENSE FOR CHILD CARE CENTERS**

(a) This Rule ~~applies~~ shall apply to evaluating program coordinators in child care ~~centers.~~ centers with regards to ~~program coordinators.~~ The points for education standards ~~are~~ shall be determined by applying this Rule along with and Rules .2819, .2820, .2821, and .2823 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained under pursuant to each Rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two through seven points for education standards, the program coordinator shall meet the applicable requirements in Rule .2510(b) of this Chapter and the following chart:

<u>Program Coordinator (.2822)</u> <u>Point Level</u>	<u>Type of Degree</u>	<u>Certification on the NC School Age Professional Scale</u>	<u>Semester Hours of school-age care related coursework</u>	<u>Hours of verifiable experience working with school-aged children in a licensed child care program</u>	<u>Hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting</u>
<u>2 Points</u>			<u>Enrolled in 3 additional hours; or</u>	<u>200; or</u>	<u>300.</u>
<u>3 Points</u>		<u>Level I or higher; or</u>	<u>Completed 3 additional hours; or</u>	<u>300; or</u>	<u>450.</u>
<u>4 Points</u>			<u>Completed 3 additional hours; and</u>	<u>200; or</u>	<u>300; or</u>
		<u>Level I or higher; and</u>		<u>200; or</u>	<u>300; or</u>
				<u>450; or</u>	<u>600.</u>
<u>5 Points</u>		<u>Level II or higher; or</u>	<u>Completed 3 additional semester hours and be enrolled in 3 additional semester hours; or</u>	<u>600; or</u>	<u>750.</u>
<u>6 points</u>	<u>BA/BS; and</u>		<u>Completed 3 additional hours; or</u>		
		<u>Level IV or higher; or</u>			

<u>Program Coordinator (.2822) Point Level</u>	<u>Type of Degree</u>	<u>Certification on the NC School Age Professional Scale</u>	<u>Semester Hours of school-age care related coursework</u>	<u>Hours of verifiable experience working with school-aged children in a licensed child care program</u>	<u>Hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting</u>
			<u>Completed 6 additional hours and</u>	<u>750; or</u>	<u>900.</u>
<u>7 Points</u>	<u>BA/BS; and</u>		<u>Completed 6 additional hours; and</u>	<u>300; or</u>	<u>450; or</u>
		<u>Level IV or higher; and</u>		<u>300; or</u>	<u>450; or</u>
			<u>Completed 9 additional hours; and</u>	<u>600; or</u>	<u>900; or</u>
			<u>Completed 6 additional hours; and</u>	<u>900; or</u>	<u>1350.</u>

(b) ~~To achieve two points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall:~~

- ~~(1) Be enrolled in three additional semester hours of school age care related coursework; or~~
- ~~(2) Have 200 hours of verifiable experience working with school aged children in a licensed child care program; or~~
- ~~(3) Have 300 hours of verifiable experience working with school aged children in an unlicensed school age care or camp setting.~~

(c) ~~To achieve three points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:~~

- ~~(1) Completed three additional semester hours of school age care related coursework; or~~
- ~~(2) 300 hours of verifiable experience working with school aged children in a licensed child care program; or~~
- ~~(3) 450 hours of verifiable experience working with school aged children in an unlicensed school age care or camp setting; or~~
- ~~(4) At least a Level I or higher certification on the SA scale.~~

(d) ~~To achieve four points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:~~

- ~~(1) Completed three additional semester hours of school age care related coursework and have either 200 hours of verifiable experience working with school aged children in a licensed child care~~

- 1 program, or 300 hours of verifiable experience working with school-aged children in an unlicensed
2 school-age care or camp setting; or
- 3 (2) A Level I or higher certification on the SA scale and have either 200 hours of verifiable experience
4 working with school-aged children in a licensed child care program, or 300 hours of verifiable
5 experience working with school-aged children in an unlicensed school-age care or camp setting; or
- 6 (3) 450 hours of verifiable experience working with school-aged children in a licensed child care
7 program; or
- 8 (4) 600 hours of verifiable experience working with school-aged children in an unlicensed school-age
9 care or camp setting.
- 10 (e) To achieve five points, the program coordinator shall have completed all the applicable requirements in Rule
11 .2510(b) of this Chapter and shall have:
- 12 (1) Completed three additional semester hours of school-age care related coursework; and be enrolled
13 in three additional semester hours of school-age care related coursework; or
- 14 (2) 600 hours of verifiable experience working with school-age children in a licensed child care
15 program; or
- 16 (3) 750 hours of verifiable experience working with school-aged children in an unlicensed school-age
17 care or camp setting; or
- 18 (4) A Level II or higher certification on the SA scale.
- 19 (f) To achieve six points, the program coordinator shall have completed all the applicable requirements in Rule
20 .2510(b) of this Chapter and shall have:
- 21 (1) Completed six additional semester hours of school-age care related coursework and either 750 hours
22 of verifiable experience working with school-aged children in a licensed child care program or 900
23 hours of verifiable experience working with school-aged children in an unlicensed school-age care
24 or camp setting; or
- 25 (2) A BA/BS degree with three additional semester hours of school-age care related coursework; or
- 26 (3) A Level IV or higher certification on the SA scale.
- 27 (g) To achieve seven points, the program coordinator shall have completed all the applicable requirements in Rule
28 .2510(b) of this Chapter and shall have:
- 29 (1) Completed six additional semester hours of school-age care related coursework and either 900 hours
30 of verifiable experience working with school-aged children in a licensed child care program or 1350
31 hours of verifiable experience working with school-aged children in an unlicensed school-age care
32 or camp setting; or
- 33 (2) Nine additional semester hours of school-age related coursework and either 600 hours of verifiable
34 experience working with school-aged children in a licensed child care program or 900 hours of
35 verifiable experience working with school-aged children in an unlicensed school-age care or camp
36 setting; or

1 (3) ~~A BA/BS degree or higher with six additional semester hours of school-age related coursework and~~
2 ~~either 300 hours of verifiable experience working with school-aged children in a licensed school-~~
3 ~~age care program; or 450 hours of working with school-aged children in an unlicensed school-age~~
4 ~~care or camp setting; or~~

5 (4) ~~A Level IV or higher certification on the SA scale and either 300 hours of verifiable experience~~
6 ~~working with school-aged children in a licensed school-age care program or 450 hours of working~~
7 ~~with school-aged children in an unlicensed school-age care or camp setting.~~

8 ~~(b)(c)~~ For centers providing school-age care with 200 or more school-aged children enrolled, there shall be two
9 program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional
10 program coordinator shall have completed all the applicable staff requirements in Rule .2510(b) of this Chapter.

11
12 *History Note:* *Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;*

13 *Eff. August 1, ~~2012~~; 2012;*

14 *Readopted Eff. March 1, 2019.*

10A NCAC 09 .2823 is readopted with changes as published in 32:14 NCR 1361-1363 as follows:

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

(a) This Rule ~~applies~~ shall apply to evaluating group leaders and assistant group leaders in child care centers and for centers that provide care only to school-age children. ~~centers with regards to group leaders and assistant group leaders.~~

The points for education standards ~~are~~ shall be determined by applying this Rule ~~along with~~ and Rules .2819, .2820, .2821, ~~and .2822~~ .2822, .2824, and .2825 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained under pursuant to each Rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two through seven points for education standards, all group leaders and assistant group leaders shall meet the applicable requirements in the following chart.

<u>Group Leader/ Assistant Group Leader (.2823)</u> <u>Point Level</u>	<u>Age of Assistant Group Leaders</u>	<u>BSAC</u>	<u>Semester hours of school-age care related coursework</u>	<u>Hours of verifiable experience working with school-aged children in a licensed child care program</u>	<u>Hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting</u>
<u>2 Points</u>		<u>All group leaders.</u>			
<u>3 Points</u>		<u>All group leaders; and</u>	<u>25 percent of group leaders enrolled in or completed 2 additional hours.</u>		
<u>4 Points</u>	<u>All at least 16 years of age; and</u>	<u>All group leaders; and</u>	<u>25 percent of group leaders completed 2 additional hours; or</u>	<u>100; or</u>	<u>150.</u>
<u>5 Points</u>		<u>All group leaders; and</u>	<u>50 percent of group leaders completed 2 additional hours; or</u>	<u>300; or</u>	<u>450; and</u>

<u>Group Leader/ Assistant Group Leader (.2823) Point Level</u>	<u>Age of Assistant Group Leaders</u>	<u>BSAC</u>	<u>Semester hours of school-age care related coursework</u>	<u>Hours of verifiable experience working with school-aged children in a licensed child care program</u>	<u>Hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting</u>
	<u>All at least 16 years of age; and</u>	<u>All assistant group leaders; or</u>		<u>250; or</u>	<u>400.</u>
<u>6 points</u>		<u>All group leaders; and</u>	<u>50 percent of group leaders completed 2 hours and completed or be enrolled in 2 additional hours; or</u>	<u>600; or</u>	<u>900; and</u>
	<u>All at least 17 years of age; and</u>	<u>All assistant group leaders; or</u>		<u>250; or</u>	<u>400.</u>
<u>7 Points</u>	<u>All at least 18 years of age; and</u>	<u>All group leaders and assistant group leaders; and</u>	<u>75 percent of group leaders completed 2 hours and completed or be enrolled in 2 additional hours; or</u>	<u>600; or</u>	<u>900.</u>

(b) To achieve two points, all group leaders shall have completed the BSAC training or its equivalent.

(c) To achieve three points, all group leaders shall have completed the BSAC training or its equivalent, and 25 percent of the group leaders shall be enrolled in or have completed two semester hours of school age care related coursework.

(d) To achieve four points, all assistant group leaders shall be at least 16 years of age and all group leaders shall have completed the BSAC training or its equivalent, and 25 percent of the group leaders shall have either:

- (1) Completed two semester hours of school age care related coursework; or

- 1 (2) ~~100 hours of verifiable experience working with school aged children in a licensed child care~~
2 ~~program; or~~
- 3 (3) ~~150 hours of verifiable experience working with school aged children in an unlicensed school age~~
4 ~~care or camp setting; or~~
- 5 (4) ~~Any combination of Subparagraphs (1) through (3) of this Paragraph.~~
- 6 (e) To achieve five points, all group leaders shall have completed the BSAC training or its equivalent, and
- 7 (1) 50 percent of the group leaders shall have either:
- 8 (A) Completed two semester hours of school age care related coursework; or
- 9 (B) ~~300 hours of verifiable experience working with school aged children in a licensed child~~
10 ~~care program; or~~
- 11 (C) ~~450 hours of verifiable experience working with school aged children in an unlicensed~~
12 ~~school age care or camp setting; or~~
- 13 (D) ~~Any combination of Subparagraphs (A) through (C) of this Paragraph; and~~
- 14 (2) All assistant group leaders shall be at least 16 years of age and shall have either:
- 15 (A) Completed the BSAC training or its equivalent; or
- 16 (B) ~~250 hours of verifiable experience working with school aged children in a licensed child~~
17 ~~care program; or~~
- 18 (C) ~~400 hours of verifiable experience working with school aged children in an unlicensed~~
19 ~~school age care or camp setting; or~~
- 20 (D) ~~Any combination of Subparagraphs (A) through (C) of this Paragraph.~~
- 21 (f) To achieve six points, all group leaders shall have completed the BSAC training or its equivalent, and
- 22 (1) 50 percent of group leaders shall have:
- 23 (A) Completed two semester hours of school age care related coursework and have completed
24 or be enrolled in two additional semester hours of school age related coursework; or
- 25 (B) ~~600 hours of verifiable experience working with school aged children in a licensed child~~
26 ~~care program; or~~
- 27 (C) ~~900 hours of verifiable experience working with school aged children in an unlicensed~~
28 ~~school age care or camp setting; or~~
- 29 (D) ~~Any combination of Subparagraphs (A) through (C) of this Paragraph; and~~
- 30 (2) All assistant group leaders shall be 17 years of age and shall have either;
- 31 (A) Completed the BSAC training or its equivalent; or
- 32 (B) ~~250 hours of verifiable experience working with school aged children in a licensed child~~
33 ~~care program; or~~
- 34 (C) ~~400 hours of verifiable experience working with school aged children in an unlicensed~~
35 ~~school age care or camp setting; or~~
- 36 (D) ~~Any combination of Subparagraphs (A) through (C) of this Paragraph.~~

1 ~~(g) To achieve seven points, all assistant group leaders shall be 18 years of age and shall have completed the BSAC~~
2 ~~training or its equivalent and all group leaders shall have completed the BSAC training or its equivalent, and 75 percent~~
3 ~~of the group leaders shall have:~~

- 4 (1) ~~Completed two semester hours of school age care related coursework and have completed, or are~~
5 ~~enrolled in two additional semester hours of school age related coursework; or~~
- 6 (2) ~~600 hours of verifiable experience working with school aged children in a licensed child care~~
7 ~~program; or~~
- 8 (3) ~~900 hours of verifiable experience working with school aged children in an unlicensed school age~~
9 ~~care or camp setting; or~~
- 10 (4) ~~Any combination of Subparagraphs (1) through (3) of this Paragraph.~~

11
12 *History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;*

13 *Eff. August 1, ~~2012~~; 2012;*

14 *Readopted Eff. March 1, 2019.*

10A NCAC 09 .2824 is readopted with changes as published in 32:14 NCR 1363-1364 as follows:

**10A NCAC 09 .2824 ENHANCED EDUCATION STANDARDS FOR A RATED LICENSE FOR
ADMINISTRATORS FOR CENTERS THAT PROVIDE CARE ONLY TO
~~SCHOOL-AGED~~ SCHOOL-AGE CHILDREN**

(a) This Rule ~~applies~~ shall apply to evaluating the education standards for administrators for centers that provide care only to ~~school-aged~~ school-age children. The points for education standards ~~are~~ shall be determined by applying this Rule ~~along with~~ and Rules .2825 and .2826 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained ~~under~~ pursuant to each rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two through seven points for education standards, the administrator of a school-age only program shall meet the applicable requirements in the following chart.

<u>Administrator</u> <u>(.2824)</u> <u>Point Level</u>	<u>NC Early Childhood</u> <u>Administration Credential,</u> <u>its equivalent,</u>	<u>Hours of verifiable experience</u> <u>performing administrative</u> <u>duties in a licensed child care</u> <u>program</u>	<u>Hours of verifiable</u> <u>experience performing</u> <u>administrative duties in an</u> <u>unlicensed school-age care or</u> <u>camp setting</u>
<u>2 Points</u>	<u>Level I or have enrolled in</u> <u>coursework as required in</u> <u>G.S. 110-91(8); and</u>	<u>1600.</u>	
<u>3 Points</u>	<u>Level I; and either</u>	<u>300; or</u>	<u>450.</u>
<u>4 Points</u>	<u>Level I; and either</u>	<u>450; or</u>	<u>600.</u>
<u>5 Points</u>	<u>Level II; and either</u>	<u>600; or</u>	<u>750.</u>
<u>6 Points</u>	<u>Level II; and either</u>	<u>750; or</u>	<u>1150.</u>
<u>7 Points</u>	<u>Level III; and either</u>	<u>900; or</u>	<u>1350.</u>

~~(b) To achieve two points, the administrator shall have:~~

- ~~(1) A Level I North Carolina Early Childhood Administration Credential or its equivalent or have enrolled in coursework as required in G.S. 110-91(8); and~~

- 1 (2) ~~1600 hours of verifiable experience performing administrative duties in a licensed school aged~~
2 ~~program.~~
- 3 (e) ~~To achieve three points, the administrator shall have:~~
- 4 (1) ~~A Level I North Carolina Early Childhood Administration Credential or its equivalent; and~~
5 (2) ~~Either:~~
- 6 (A) ~~300 additional hours of verifiable experience performing administrative duties in a licensed~~
7 ~~child care program; or~~
8 (B) ~~450 additional hours of verifiable experience performing administrative duties in an~~
9 ~~unlicensed school aged care or camp setting.~~
- 10 (d) ~~To achieve four points, the administrator shall have:~~
- 11 (1) ~~A Level I North Carolina Early Childhood Administration Credential or its equivalent; and~~
12 (2) ~~Either:~~
- 13 (A) ~~450 additional hours of verifiable experience performing administrative duties in a licensed~~
14 ~~child care program; or~~
15 (B) ~~600 additional hours of verifiable experience performing administrative duties in an~~
16 ~~unlicensed school age care or camp setting.~~
- 17 (e) ~~To achieve five points, the administrator shall have:~~
- 18 (1) ~~A Level II North Carolina Early Childhood Administration Credential or its equivalent; and~~
19 (2) ~~Either:~~
- 20 (A) ~~600 additional hours of verifiable experience performing administrative duties in a licensed~~
21 ~~child care program serving school aged children; or~~
22 (B) ~~750 additional hours of verifiable experience performing administrative duties in an~~
23 ~~unlicensed school aged care or camp setting.~~
- 24 (f) ~~To achieve six points, the administrator shall have:~~
- 25 (1) ~~A Level II North Carolina Early Childhood Administration Credential or its equivalent; and~~
26 (2) ~~Either:~~
- 27 (A) ~~750 additional hours of verifiable experience performing administrative duties in a licensed~~
28 ~~child care program serving school aged children; or~~
29 (B) ~~1150 additional hours of verifiable experience performing administrative duties in an~~
30 ~~unlicensed school aged care or camp setting.~~
- 31 (g) ~~To achieve seven points, the administrator shall have:~~
- 32 (1) ~~A Level III North Carolina Early Childhood Administration Credential or its equivalent; and~~
33 (2) ~~Either:~~
- 34 (A) ~~900 additional hours of verifiable experience performing administrative duties in a licensed~~
35 ~~child care program serving school aged children; or~~
36 (B) ~~1350 additional hours of verifiable experience performing administrative duties in an~~
37 ~~unlicensed school aged care or camp setting.~~

1 ~~(h)~~(c) As used in this Rule, the definition of the term "experience working with school-aged children" in Rule .2510(h)
2 of this Chapter shall apply.

3 *History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;*

4 *Eff. August 1, ~~2012~~, 2012;*

5 *Readopted Eff. March 1, 2019.*

10A NCAC 09 .2825 is readopted with changes as published in 32:14 NCR 1364-1366 as follows:

**10A NCAC 09 .2825 ENHANCED EDUCATION STANDARDS FOR PROGRAM COORDINATORS
FOR A RATED LICENSE FOR CENTERS THAT PROVIDE CARE ONLY TO
~~SCHOOL-AGED~~ SCHOOL-AGE CHILDREN**

(a) This Rule ~~applies~~ shall apply to evaluating the education standards for program coordinators for centers that provide care only to ~~school-aged~~ school-age children. The points for education standards ~~are~~ shall be determined by applying this Rule ~~along with~~ and Rules .2824 and .2826 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained ~~under~~ pursuant to each Rule shall be the point used to meet Rule .2802 of this Section.

(b) To achieve two through seven points for education standards, the program coordinator shall meet the applicable requirements in Rule .2510(b) of this Chapter and the following chart.

<u>Program Coordinator (.2825) Point Level</u>	<u>Type of Degree</u>	<u>Certification on the NC School Age Professional Certification Scale</u>	<u>Semester Hours of school-age care related coursework</u>	<u>Hours of verifiable experience working with school-age children in a licensed child care program</u>	<u>Hours of verifiable experience working with school-age children in an unlicensed school-age care or camp setting</u>
<u>2 Points</u>			<u>Enrolled in 3 additional hours; or</u>	<u>200; or</u>	<u>300.</u>
<u>3 Points</u>		<u>Level I or higher; or</u>	<u>Completed 3 additional hours; or</u>	<u>300; or</u>	<u>450.</u>
<u>4 Points</u>			<u>Completed 3 additional hours; and</u>	<u>200; or</u>	<u>300; or</u>
		<u>Level I or higher; and</u>		<u>200; or</u>	<u>300; or</u>
				<u>450; or</u>	<u>600.</u>
<u>5 Points</u>		<u>Level II or higher; or</u>	<u>Completed 3 additional semester hours and be enrolled in 3 additional semester hours; or</u>	<u>600; or</u>	<u>750.</u>
<u>6 points</u>				<u>750; or</u>	<u>900; and</u>
			<u>Completed 6 additional hours; or</u>		

<u>Program Coordinator (.2825) Point Level</u>	<u>Type of Degree</u>	<u>Certification on the NC School Age Professional Certification Scale</u>	<u>Semester Hours of school-age care related coursework</u>	<u>Hours of verifiable experience working with school-age children in a licensed child care program</u>	<u>Hours of verifiable experience working with school-age children in an unlicensed school-age care or camp setting</u>
	<u>BA/BS; and</u>		<u>Completed 3 additional hours; or</u>		
		<u>Level III or higher.</u>			
<u>7 Points</u>			<u>Completed 6 additional hours; and</u>	<u>900; or</u>	<u>1350; or</u>
			<u>Completed 9 additional hours; and</u>	<u>600; or</u>	<u>900; or</u>
	<u>BA/BS; and</u>		<u>Completed 6 additional hours; and</u>	<u>300; or</u>	<u>450; or</u>
		<u>Level IV or higher; and</u>		<u>300; or</u>	<u>450; or</u>

(b) ~~To achieve two points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall:~~

- ~~(1) Be enrolled in three additional semester hours of school-age care related coursework; or~~
- ~~(2) Have 200 hours of verifiable experience working with school-aged children in a licensed child care program; or~~
- ~~(3) Have 300 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting.~~

(c) ~~To achieve three points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:~~

- ~~(1) Completed three additional semester hours of school-age care related coursework; or~~
- ~~(2) 300 hours of verifiable experience working with school-aged children in a licensed child care program; or~~
- ~~(3) 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or~~
- ~~(4) A Level I certification or higher on the SA scale.~~

(d) ~~To achieve four points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:~~

- (1) ~~Completed three additional semester hours of school age care related coursework and 200 hours of verifiable experience working with school aged children in a licensed child care program; or~~
- (2) ~~450 hours of verifiable experience working with school aged children in a licensed child care program; or~~
- (3) ~~600 hours of verifiable experience working with school aged children in an unlicensed school age care or camp setting; or~~
- (4) ~~A Level I certification or higher on the SA scale, and either;~~
- (A) ~~200 hours of verifiable experience working with school aged children in a licensed child care program; or~~
- (B) ~~300 hours of verifiable experience working with school aged children in an unlicensed school age care or camp setting.~~
- (e) ~~To achieve five points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:~~
- (1) ~~Completed three additional semester hours of school age care related coursework and is enrolled in three additional semester hours of school aged care related coursework; or~~
- (2) ~~600 hours of verifiable experience working with school aged children in a licensed child care program; or~~
- (3) ~~750 hours of verifiable experience working with school aged children in an unlicensed school aged care or camp setting; or~~
- (4) ~~A Level II certification or higher on the SA scale.~~
- (f) ~~To achieve six points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:~~
- (1) ~~750 hours of verifiable experience working with school aged children in a licensed child care program; or 900 hours of verifiable experience working with school aged children in an unlicensed school aged care or camp setting; and~~
- (2) ~~Either:~~
- (A) ~~Completed six additional semester hours of school aged care related coursework; or~~
- (B) ~~Shall have a BA/BS degree with three additional semester hours of school aged care related coursework; or~~
- (C) ~~Level III certification or higher on the SA scale.~~
- (g) ~~To achieve seven points, the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:~~
- (1) ~~Completed six additional semester hours of school aged care related coursework and either:~~
- (A) ~~900 hours of verifiable experience working with school aged children in a licensed child care program; or~~
- (B) ~~1350 hours of verifiable experience working with school aged children in an unlicensed school aged care or camp setting; or~~

- 1 (2) ~~Completed nine additional semester hours of school aged care related coursework and either:~~
2 (A) ~~600 hours of verifiable experience working with school aged children in a licensed child~~
3 ~~care program; or~~
4 (B) ~~900 hours of verifiable experience working with school aged children in an unlicensed~~
5 ~~school aged care or camp setting; or~~
6 (3) ~~A BA/BS degree or higher with six additional semester hours of school aged related coursework~~
7 ~~and either:~~
8 (A) ~~300 hours of verifiable experience working with school aged children in a licensed school-~~
9 ~~aged care program; or~~
10 (B) ~~450 hours of working with school aged children in an unlicensed school aged care or camp~~
11 ~~setting; or~~
12 (4) ~~A Level IV certification or higher on the SA scale and either:~~
13 (A) ~~300 hours of verifiable experience working with school aged children in a licensed school-~~
14 ~~aged care program; or~~
15 (B) ~~450 hours of working with school aged children in an unlicensed school aged care or camp~~
16 ~~setting.~~

17 ~~(h)(c)~~ As used in this Rule, the definition of the term "experience working with ~~school-aged~~ school-age children" in
18 Rule .2510(h) of this Chapter shall apply.

19 ~~(i)(d)~~ For programs with a licensed capacity of 200 or more ~~school-aged~~ school-age children, there shall be two
20 program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional
21 program coordinator shall have completed the applicable staff requirements in Rule .2510(b) of this Chapter.

23 *History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;*

24 *Eff. August 1, ~~2012~~, 2012;*

25 *Readopted Eff. March 1, 2019.*

10A NCAC 09 .2827 is readopted with changes as published in 32:14 NCR 1366-1368 as follows:

**10A NCAC 09 .2827 ENHANCED EDUCATION STANDARDS FOR OPERATORS FOR A RATED
LICENSE FOR FAMILY CHILD CARE HOMES**

(a) This Rule ~~applies~~ shall apply to evaluating the operator of family child care homes. ~~homes with regards to the operator.~~

(b) To achieve two through seven points for education standards, the operator shall meet the applicable requirements in the following chart:

<u>FCCH Operator</u> <u>(.2827)</u> <u>Point Level</u>	<u>Degree</u>	<u>NC Family</u> <u>Child Care</u> <u>Credential</u> <u>or its</u> <u>equivalent</u>	<u>Certification on</u> <u>the NC Early</u> <u>Care and</u> <u>Education</u> <u>Professional</u> <u>Scale</u>	<u>Semester</u> <u>Hours</u>	<u>Verifiable Early</u> <u>Childhood Work</u> <u>Experience</u>	<u>Additional</u> <u>Clock Hours</u> <u>of On-going</u> <u>Training</u>
<u>2 Points</u>				<u>4 hours in</u> <u>early</u> <u>childhood</u> <u>education or</u> <u>child</u> <u>development;</u> <u>or</u>	<u>5 years; and</u>	<u>8 annually.</u>
<u>3 Points</u>		<u>✓ ;</u> <u>or</u>	<u>Level I</u> <u>or higher.</u>			
<u>4 Points</u>			<u>Level II</u> <u>or higher; or</u>			
		<u>✓ ;</u> <u>or</u>	<u>Level I or</u> <u>higher; and</u>	<u>6 hours in</u> <u>early</u> <u>childhood</u> <u>education or</u> <u>child</u> <u>development.</u>		
<u>5 Points</u>			<u>Level IV or</u> <u>higher; and</u>		<u>1 year; or</u>	
		<u>✓ ;</u> <u>or</u>	<u>Level I or higher;</u> <u>and</u>	<u>12 hours in</u> <u>early</u> <u>childhood</u>	<u>1 year.</u>	

<u>FCCH Operator</u> <u>(.2827)</u> <u>Point Level</u>	<u>Degree</u>	<u>NC Family</u> <u>Child Care</u> <u>Credential</u> <u>or its</u> <u>equivalent</u>	<u>Certification on</u> <u>the NC Early</u> <u>Care and</u> <u>Education</u> <u>Professional</u> <u>Scale</u>	<u>Semester</u> <u>Hours</u>	<u>Verifiable Early</u> <u>Childhood Work</u> <u>Experience</u>	<u>Additional</u> <u>Clock Hours</u> <u>of On-going</u> <u>Training</u>
				<u>education or</u> <u>child</u> <u>development</u> <u>and either 2 of</u> <u>the 12 hours</u> <u>shall include</u> <u>child care</u> <u>administration;</u> <u>or</u>		
<u>6 Points</u>			<u>Level VI or</u> <u>higher; and</u>		<u>1 year; or</u>	
		<u>✓ ;</u> <u>or</u>	<u>Level I or higher;</u> <u>and</u>	<u>18 hours in</u> <u>early</u> <u>childhood</u> <u>education or</u> <u>child</u> <u>development</u> <u>and either 5 of</u> <u>the 18 hours</u> <u>shall include</u> <u>child care</u> <u>administration;</u> <u>or</u>	<u>2 years.</u>	
<u>7 Points</u>	<u>A.A.S. in any</u> <u>major; and</u>			<u>A minimum of</u> <u>12 hours in</u> <u>early</u> <u>childhood</u> <u>education or</u> <u>child</u> <u>development;</u> <u>and</u>	<u>2 years; or</u>	

<u>FCCH Operator</u> <u>(.2827)</u> <u>Point Level</u>	<u>Degree</u>	<u>NC Family</u> <u>Child Care</u> <u>Credential</u> <u>or its</u> <u>equivalent</u>	<u>Certification on</u> <u>the NC Early</u> <u>Care and</u> <u>Education</u> <u>Professional</u> <u>Scale</u>	<u>Semester</u> <u>Hours</u>	<u>Verifiable Early</u> <u>Childhood Work</u> <u>Experience</u>	<u>Additional</u> <u>Clock Hours</u> <u>of On-going</u> <u>Training</u>
	<u>A.A.S. degree</u> <u>in early</u> <u>childhood</u> <u>education or</u> <u>child</u> <u>development;</u> <u>and</u>				<u>18 months; or</u>	
			<u>A Level VI; and</u>		<u>2 years.</u>	

(c) Semester hours in early childhood education or child development shall not include the coursework necessary for the North Carolina Family Child Care Credential.

(b) To achieve two points, the operator shall have completed:

- (1) Four semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework); or
- (2) Five years of verifiable early childhood work experience and eight additional clock hours annually of in-service training.

(e) To achieve three points, the operator shall have completed the North Carolina Family Child Care Credential, its equivalent or a Level I or higher certification on the ECE scale.

(d) To achieve four points, the operator shall have completed a Level II or higher certification on the ECE scale; or

- (1) Have six semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework); and
- (2) Have the North Carolina Family Child Care Credential, its equivalent, or a Level I or higher certification on the ECE scale.

(e) To achieve five points, the operator shall have completed a Level IV certification on the ECE scale and have one year verifiable early childhood work experience; or have

- (1) The North Carolina Family Child Care Credential, its equivalent, or a Level I or higher certification on the ECE scale; and
- (2) 12 semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework); and
- (3) Either:
 - (A) Two of 12 semester hours in early childhood education in child care administration; or

- 1 (B) ~~One year of verifiable early childhood work experience.~~
- 2 (f) ~~To achieve six points, the operator shall have completed a Level VI certification on the ECE scale and have one~~
- 3 ~~year verifiable childhood work experience; or have~~
- 4 (1) ~~The North Carolina Family Child Care Credential, its equivalent, or a Level I or higher certification~~
- 5 ~~on the ECE scale; and~~
- 6 (2) ~~18 semester credit hours in early childhood education or child development (not including the North~~
- 7 ~~Carolina Family Child Care Credential coursework; and~~
- 8 (3) ~~Either:~~
- 9 (A) ~~Five of the 18 semester hours in early childhood education are in child care administration;~~
- 10 ~~or~~
- 11 (B) ~~Two years of verifiable early childhood work experience.~~
- 12 (g) ~~To achieve seven points, the operator shall have completed:~~
- 13 (1) ~~An A.A.S. degree in any major with a minimum of 12 semester credit hours in early childhood~~
- 14 ~~education/child development coursework and two years of full-time verifiable early childhood work~~
- 15 ~~experience; or~~
- 16 (2) ~~An A.A.S. in early childhood education/child development and 18 months of full-time verifiable~~
- 17 ~~early childhood work experience; or~~
- 18 (3) ~~A Level VI certification on the ECE scale and two years of experience.~~

19

20 *History Note:* ~~Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;~~

21 ~~Eff. May 1, 2006;~~

22 ~~Amended Eff. August 1, 2012; 2012;~~

23 ~~Readopted Eff. March 1, 2019.~~

10A NCAC 09 .2828 is readopted with changes as published in 32:14 NCR 1368-1369 as follows:

**10A NCAC 09 .2828 ENHANCED PROGRAM STANDARDS FOR A RATED LICENSE FOR FAMILY
CHILD CARE HOMES**

(a) This Rule ~~applies~~ shall apply to evaluating the program standards for a ~~two-component~~ rated license for family child care homes.

~~(b) To achieve two points for program standards, the operator shall have written operational policies and procedures that include information about meal and snack practices, daily activities, parent involvement, health and safety practices, infection control/ill child exclusion/inclusion, and business practice. To achieve two through seven points for program standards, the operator shall meet the criteria listed in the following chart:~~

<u>FCCH</u> <u>Program Standards</u> <u>(.2828)</u> <u>Point Level</u>	<u>Criteria</u>
<u>2 points</u>	<u>Operator provides documentation of self-study and self-assessment using the Family Child Care Rating Scale over a 3-month time period. Documentation such as an ERS book with score sheets, self-assessments and program adjustments shall be reviewed by the Division as part of the rated license assessment.</u>
<u>3 points</u>	<u>Have a score of 4.0 or higher on the Family Child Care Rating Scale</u>
<u>4 points</u>	<u>Have a score of 4.25 or higher on the Family Child Care Rating Scale</u>
<u>5 points</u>	<u>Have a score of 4.5 or higher on the Family Child Care Rating Scale</u>
<u>6 points</u>	<u>Have a score of 4.75 or higher on the Family Child Care Rating Scale AND of the five preschoolers allowed to be enrolled, no more than four children shall be under one year of age</u>
<u>7 points</u>	<u>Have a score of 5.0 or higher on the Family Child Care Rating Scale AND of the five preschoolers allowed to be enrolled, no more than three children shall be under one year of age</u>

~~(c) To achieve three points for program standards, the operator shall:~~

~~(1) Have written operational policies and procedures that include all information listed in Paragraph (a) of this Rule.~~

~~(2) Have an average score of 4.0 or higher on the Family Day Care Rating Scale.~~

~~(d) To achieve four points for program standards, the operator shall:~~

~~(1) Have written operational policies and procedures that include all information listed in Paragraph (a) of this Rule.~~

~~(2) Have an average score of 4.25 or higher on the Family Day Care Rating Scale.~~

1 ~~(e) To achieve five points for program standards, the operator shall:~~

2 ~~(1) Have written operational policies and procedures that include all information listed in Paragraph (a)~~
3 ~~of this Rule.~~

4 ~~(2) Have an average score of 4.5 or higher on the Family Day Care Rating Scale.~~

5 ~~(f) To achieve six points for program standards, the operator shall:~~

6 ~~(1) Have written operational policies and procedures that include all information listed in Paragraph (a)~~
7 ~~of this Rule;~~

8 ~~(2) Have an average score of 4.75 or higher on the Family Day Care Rating Scale; and~~

9 ~~(3) Of the five preschoolers allowed to be enrolled, no more than four children shall be under one year~~
10 ~~of age.~~

11 ~~(g) To achieve seven points for program standards, the operator shall:~~

12 ~~(1) Have written operational policies and procedures that include all information listed in Paragraph (a)~~
13 ~~of this Rule;~~

14 ~~(2) Have an average score of 5.0 or higher on the Family Day Care Rating Scale; and~~

15 ~~(3) Of the five preschoolers allowed to be enrolled, no more than three children shall be under one year~~
16 ~~of age.~~

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18 *History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;*

19 *Eff. May 1, 2006;*

20 *Recodified from Rule .2821 Eff. August 1, ~~2012~~; 2012;*

21 *Readopted Eff. March 1, 2019.*

10A NCAC 09 .2829 QUALITY POINT OPTIONS

Operators may choose to earn one additional quality point toward a voluntary rated license as described in Rule .2802 of this Section as follows:

(1) Education options:

(a) Completing additional education coursework as follows:

(i) An Infant and Toddler Certificate, by 75 percent of infant and toddler teachers;

(ii) An A.A.S. or higher in early childhood education or child development by 75 percent of teachers;

(iii) A BA or BS or higher in early childhood education or child development by 75 percent of lead teachers;

(iv) An A.A.S. or higher in early childhood education or child development by all lead teachers;

(v) A North Carolina School Age Care Credential or have completed six semester hours in school age coursework by 75 percent of group leaders; or

(vi) An Infant and Toddler Certificate or has a BA or BS or higher in early childhood education or child development by a family child care home provider;

(b) Completing 20 additional annual in-service training hours for full-time lead teachers and teachers, and staff working part-time completing additional hours based on the chart in Rule .0707(e) of this Chapter;

(c) Completing 20 annual in-service training hours for family child care home providers in addition to those required by Rule .1705(b)(5) of this Chapter;

(d) 75 percent of lead teachers and teachers having at least 10 years of documented and confirmed by the Division early childhood work experience;

(e) All lead teachers and teachers having at least five years of documented and confirmed by the Division of early childhood work experience employed by no more than two different employers;

(f) Having a combined turnover rate of 20 percent or less for the administrator, program coordinator, lead teachers, teachers and group leader positions over the last 12 months if the program has earned at least four points in education;

(g) In a stand-alone school age program, 75 percent of group leaders having at least five years verifiable school age work experience employed in no more than two different school age settings; or

Quality Point Education Options (.2829)	
75 percent of infant/toddler teachers have obtained an Infant and Toddler Certificate;	<u>OR</u>

<u>Quality Point Education Options (.2829)</u>	
<u>All teachers have the North Carolina Diploma in Early Childhood (1 year) from a regionally accredited college or university as defined in Rule .1103 of this Chapter;</u>	<u>OR</u>
<u>75 percent of teachers have an [AAA] AAS or higher in early childhood education or child development;</u>	<u>OR</u>
<u>75 percent of lead teachers have a BA/BS or higher in early childhood education or child development;</u>	<u>OR</u>
<u>All lead teachers have an AAS or higher in early childhood education or child development;</u>	<u>OR</u>
<u>75 percent of group leaders have a North Carolina School-Age Care Credential or 6 semester hours in school-age coursework;</u>	<u>OR</u>
<u>A Family Child Care Home operator has an Infant and Toddler Certificate or a BA/BS or higher in early childhood education or child development;</u>	<u>OR</u>
<u>Completing 20 additional annual on-going training hours for full-time lead teachers and teachers, and staff working part-time;</u>	<u>OR</u>
<u>Completing 20 additional annual on-going training hours for family child care home operators;</u>	<u>OR</u>
<u>The child care administrator has at least 10 years of documented child care administrative work experience in a licensed program that can be verified by the Division;</u>	<u>OR</u>
<u>75 percent of lead teachers and teachers have at least 10 years of documented early childhood work experience that can be verified by the Division;</u>	<u>OR</u>
<u>All lead teachers and teachers have at least 5 years of documented early childhood work experience that can be verified by the Division and have been employed by no more than 2 different employers;</u>	<u>OR</u>
<u>When the program has earned at least 4 points in education and the program has a combined turnover rate of 20 percent or less for the administrator, program coordinator, lead teacher, teacher, and group leader positions over the last 12 months;</u>	<u>OR</u>
<u>In a stand-alone school age program, 75 percent of group leaders have at least 5 years of documented school-age work experience that can be verified by the Division and have been employed by no more than 2 different employers.</u>	

(2) Programmatic options:

- (a) ~~Using a curriculum as defined in Rule .0102(7) of this Chapter. This programmatic option is not available to facilities that are required to use an approved curriculum in accordance with Rule .2802(d) of this Section;~~
- (b) ~~Having group sizes decreased by at least one child per age group from the seven point level as described in Rule .2818(c) of this Section;~~
- (c) ~~Having staff/child ratios decreased by at least one child per age group from the seven point level as described in Rule .2818(c) of this Section;~~

- (d) ~~Meeting at least two of the following three programs standards:~~
- (i) ~~Having enhanced policies which include the following topics: field trip policy, staff development plan, medication administration, enhanced discipline policy, and health rules for attendance;~~
 - (ii) ~~Having a staff benefits package that offers at least four of the following six benefits: paid leave for professional development, paid planning time, vacation, sick time, retirement or health insurance; or~~
 - (iii) ~~Having evidence of an infrastructure of parent involvement that includes at least two of the following: parent newsletters offered at least quarterly, parent advisory board, periodic conferences for all children, or parent information meetings offered at least quarterly;~~
- (e) ~~Completing a 30 hour or longer business training course by a family child care home provider;~~
- (f) ~~Completing a business training course and a wage and hour training by the center administrator that is at least 30 hours total;~~
- (g) ~~Restricting enrollment to four preschool children in a family child care home; or~~
- (h) ~~Reducing infant capacity by at least one child from the seven point level for a family child care home as described in Rule .2828(g)(3) of this Section.~~

<u>Quality Point Programmatic Options (.2829)</u>	
<u>Using a curriculum as defined in Rule .0102(10) of this Chapter. This programmatic option is not available to facilities that are required to use an approved curriculum in accordance with Rule .2802(d) of this Section;</u>	<u>OR</u>
<u>Having reduced group sizes decreased by at least one child per age group from the seven point level as described in Rule .2818(c) of this Section;</u>	<u>OR</u>
<u>Having staff/child ratios decreased by at least one child per age group from the seven point level as described in Rule .2818(c) of this Section;</u>	<u>OR</u>
<u>Meeting the following program standards:</u> <u>(1) Having a staff benefits package that offers at least four of the following benefits: paid leave for professional development, paid planning time, vacation, sick time, retirement, or health insurance; and</u> <u>(2) Having evidence of an infrastructure of parent involvement that includes at least two of the following: parent newsletters offered at least quarterly, parent advisory board, periodic conferences for all children, or parent information meetings offered at least quarterly</u>	<u>OR</u>
<u>A Family Child Care Home operator has completed a 30 hour or longer business training course;</u>	<u>OR</u>
<u>A center administrator has completed a business training course and a wage and hour training course that is at least 30 hours of total training time;</u>	<u>OR</u>

<u>Quality Point Programmatic Options (.2829)</u>	
<u>Restricting enrollment to four preschool children in a Family Child Care Home;</u>	<u>OR</u>
<u>Reducing infant capacity by at least one child from the seven point level for a Family Child Care Home as described in Rule .2828(g)(3) of this Section.</u>	

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2 *History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s. 10.7(b);*

3 *Eff. May 1, 2006;*

4 *Amended Eff. December 1, 2006;*

5 *Recodified from Rule .2823 Eff. August 1, 2012;*

6 *Amended Eff. July 1, 2015; September 1, ~~2012~~ 2012;*

7 *Readopted Eff. March 1, 2019.*

10A NCAC 09 .2830 is readopted with changes as published in 32:14 NCR 1371 as follows:

10A NCAC 09 .2830 MAINTAINING THE STAR RATING

(a) A representative of the Division may make announced or unannounced visits to facilities to assess on-going compliance with the requirements of a star rating after it has been issued. When the Division representative documents violations with the standards that determine a rating, the representative ~~may~~ **shall** take one or more of the following actions:

- (1) ~~Advise~~ advise the operator to submit written verification that the ~~violation(s)~~ **violations** have been ~~corrected~~ corrected;
- (2) ~~Return~~ return to the facility for an unannounced visit at a later date to determine if compliance has been ~~achieved~~ achieved;
- (3) ~~Recommend~~ recommend an Environmental Rating Scale assessment be ~~conducted~~ conducted;
- (4) ~~Recommend~~ recommend a complete reassessment of requirements of the star rating issued to the ~~facility~~ facility;
- (5) ~~Recommend~~ recommend that the star rating be ~~reduced~~ reduced; or
- (6) ~~Recommend~~ recommend administrative action in accordance with G.S. ~~440~~ 110, Article 7 and this ~~Subchapter~~ Chapter.

(b) If changes unrelated to employment occur at a facility ~~which~~ **that result** ~~[results]~~ in the operator not complying with the standards in this Section for the star rating issued, the operator shall correct the noncompliance within 30 days. If the operator does not correct the noncompliance within 30 days, the operator shall notify the Division. Based upon the information obtained, the Division ~~may~~ **shall** take any of the actions described in Paragraph (a) of this Rule.

(c) If ~~[employment-related]~~ **employment-related** changes occur at a facility ~~[which results]~~ **that result** in the operator not complying with the standards in the Section for the star rating issued, the operator shall correct the noncompliance within ~~[90]~~ **120** days. If the operator does not correct the noncompliance within ~~[90]~~ **120** days, the operator shall notify the Division. Based upon the information obtained, the Division ~~[may]~~ **shall** take any of the actions described in Paragraph (a) of this Rule.

~~(e)~~(d) A complete assessment of requirements for a **voluntary** rated license of two stars or higher shall be conducted at least once every three years. The Division shall provide for one evaluation of program standards using the environment rating scales referenced in Rule ~~.2802(e)~~ **.2802(c)**, free of ~~charge~~ **charge**, once every three years when reassessing the ratings of operators with three to five points for program standards.

*History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;
Eff. April 1, 1999;
Recodified from Rule .2809 Eff. May 1, 2006;
Recodified from Rule .2824 Eff. August 1, 2012; 2012;
Readopted Eff. March 1, 2019.*

1 **10A NCAC 09 .2831 is readopted with changes as published in 32:14 NCR 1371 as follows:**

2
3 **10A NCAC 09 .2831 HOW AN OPERATOR MAY REQUEST OR APPEAL A CHANGE IN RATING**

4 (a) An operator may request a change in the star rating by following the procedures in Rule .2802 of this Section.

5 (b) After an initial three- through five-star rating is issued, the Division shall provide ~~for~~ one evaluation of program
6 standards using the environment rating scales referenced in Rule .2802(e) of this Section during each three year period
7 thereafter at no cost to the operator. An operator may have extra rating scale ~~assessments~~ assessments, as referenced
8 in Rule .2802(e) of this ~~Section~~ Section, performed at his or her own expense in addition to the free one performed by
9 the Division. The additional rating scale assessments shall be completed by individuals approved by the Division to
10 perform them. Approval shall be based upon the individual's successful completion of training designated or
11 authorized by the authors of the environment rating scales.

12 (c) An operator may appeal the reduction of a star rating as provided in G.S. 110-94.

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14 *History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;*

15 *Recodified from Rule .2810 Eff. May 1, 2006;*

16 *Amended Eff. May 1, 2006;*

17 *Recodified from Rule .2825 Eff. August 1, ~~2012~~, 2012;*

18 *Readopted Eff. March 1, 2019.*