

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 – All Rules With Charts

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Numerous rules include charts. The charts can be reproduced in the Code, but the shading cannot.

It is not apparent that the charts in Rules .2819 through .2829 are any clearer than was the text that they replaced.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .0513

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Please number and space the lines correctly

Line 3 – replace “which” with “that”

Line 5 – add a comma after “management”

Lines 3-6 – consider listing as follows:

Centers shall have administrative policies and practices that provide for:

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

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel

Date submitted to agency: Tuesday, November 27, 2018

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

**SECTION .0500 – ~~SCHEDULES AND ACTIVITIES AGE AND DEVELOPMENTALLY~~
~~APPROPRIATE ENVIRONMENTS FOR CENTERS~~**

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

Centers ~~seeking two or more points for program standards~~ shall have administrative policies and practices which provide for selection and training of staff; communication with and opportunities for participation by parents; operational and fiscal management; and objective evaluation of the program, management and staff in accordance with the rules of this Section.

*History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3;
Eff. April 1, 1999;*

Amended Eff. July 1, 2000;

Prior to amendment of May 1, 2006 this language was located in Rule .1601;

Amended Eff. May 1, ~~2006~~. 2016.

Readopted March 1, 2019 (Transferred from 10A NCAC 09 .2804).

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .0514

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – replace “which” with “that”

Line 7 – add “the” before “age” and “children”

Line 10 – replace “i.e.” with “such as”

Line 10 – replace “before/after” with “before and after”

Line 11 – add “and” before “transportation”

Line 20 – replace “their” with “the parents”

Line 21 – replace “any” with “all”

Line 21 – add “in policy” after “changes”

Line 23 – replace “staff/child” with “staff-to-child”

Line 24 – add “a” before “personnel”

Line 26 – add a comma after “position”

Line 29 – replace “absence” with “absences”

Line 33 – replace “any” with “all”

Line 36 – do you still need the phrase “hired after April 1, 1999”?

Line 36 – add a comma after “1999”

Line 36 – replace “contain” with “include”

Jason Thomas
Commission Counsel

Date submitted to agency: Tuesday, November 27, 2018

Page 2, line 2 – replace “description(s)” with “descriptions” or “description”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

1 10A NCAC 09 .0514 is readopted with changes as published in 32:14 NCR 1340-1341 as follows:

2
3 10A NCAC 09 ~~.2805~~ .0514 OPERATIONAL AND PERSONNEL POLICIES

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

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

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

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

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

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

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

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

36 (g) All personnel files of employees hired after April 1, 1999 shall also ~~contain~~ contain

- 1 (1) a signed and dated statement verifying that the employee received a copy of ~~his/her~~ his or her job
2 description(s) 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.~~

5
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).*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .0515

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Lines 4, 9, 10, and 14 – replace “which” with “that”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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

2
3 **10A NCAC 09 .2807 .0515 PARENT PARTICIPATION**

4 (a) Each center shall have a plan which will encourage parent participation and inform parents about the program and
5 its services. The plan shall be discussed with parents ~~at the time the child is enrolled~~ [prior to enrollment] on or before
6 the child's first day of attendance and shall be posted in the center or a copy shall be given to parents ~~at the time of~~
7 [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 involves both parents when possible and
10 which 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 provide parents opportunities to participate in the center's program on an individual
15 basis and as a group;
16 (4) a procedure for parents who need information or have complaints about the child care program.

17
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).*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .0516

DEADLINE FOR RECEIPT: Friday, December 7, 2018

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – what does a “variety” mean – number, type, something else?

Line 7 – replace “must” with “shall”

Line 7 – delete or define “flexible”

Line 8 – do you mean “children shall be left for care before, and picked up after, their normal sleeping period”?

Lines 8-9 – delete all that follows “so that there is...”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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

2
3 **10A NCAC 09 ~~.2808~~ .0516 NIGHT CARE**

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

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

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

10
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).*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .1101

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Lines 6 and 8 – delete “clock”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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

1

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.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .1715

DEADLINE FOR RECEIPT: Friday, December 7, 2018

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The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – delete “at least”

Line 8 – add “the” before “age” and “children”

Line 11 – replace “i.e.” with “such as”

Line 11 – replace “before/after” with “before and after”

Line 12 – add “and” before “transportation”

Line 21 – replace “their” with “the parents”

Line 21 – replace “any” with “all”

Line 21 – add “in policy” after “changes”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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

2
3 **SECTION .1700 – FAMILY CHILD CARE HOME REQUIREMENTS**

4
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) age range of 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. number of meals served, before/after school
- 12 care, 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 shall be notified in writing of any changes.

22
23 *History Note: Authority G.S. 110-85; 110-88; 110-91; 143B-168.3;*

24 *Eff. March 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .1729

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 19 – add “has” before “reviewed”

Line 19 – add “the” before “requirements”

Line 21 – move “required” to immediately after “information”

Line 21 – replace “in” with “by”

Line 22 – add “and” before “available”

Line 24 – delete the comma

Line 26 – replace “any” with “all”

Line 26 – add “prior to the individual caring for children” after “caregivers”

Line 27 – add a comma after “providers”

Line 27 – delete “prior to the individual caring for children”

Line 33 – add a comma after “plan”

Page 2, line 18 – add “and” before “available”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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 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 reviewed 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 in Subparagraphs (1) through (10) of this Paragraph shall be on file in the home 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, except the requirements for annual training and a high school diploma or GED.

(c) The operator shall conduct 16 hours of orientation with any caregivers, including substitute providers, and volunteers volunteers, and uncompensated providers who are providing 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 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 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.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2701

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 3 – add “shall” before “apply”

Lines 5-6 – replace everything beginning with “after the Division’s determination” with “from the Division”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

1 **10A NCAC 09 .2701 is readopted as published in 32:14 NCR 1349 as follows:**

SECTION .2700 - CRIMINAL RECORDS BACKGROUND CHECKS

2 **10A NCAC 09 .2701 SCOPE**

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

7

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

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

10 *Readopted January 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2702

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – replace “determined is” with “qualified as”

Lines 5-7 – is a provider “qualified” based solely on the criminal background check? What about the other disqualifying characteristics listed elsewhere in this rule?

Line 9 – delete “the Division has determined”

Line 12 – replace “the Division determines to be an” with “is a”

Line 16 – delete “any”

Line 25 – delete “the Division has determined”

Line 33 – replace “court, or entry of” with “court or a court enters”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

1 10A NCAC 09 .2702 is readopted with changes as published in 32:14 NCR 1349 as follows:

2
3 **10A NCAC 09 .2702 DEFINITIONS**

4 For purposes of this Section:

- 5 (1) a "qualified child care provider" means an individual who the Division has determined is fit to have
6 responsibility for the safety and well-being of children based on the criminal history as set forth in
7 G.S. 110-90.2.
- 8 (2) a "disqualified child care provider" means an individual who:
9 (a) the Division has determined is not fit to have responsibility for the safety and well-being
10 of children based on the criminal history in accordance with G.S. 110-90.2(a)(3);
11 (b) is classified within the prohibited list provided in G.S. 110-90.2(a1);
12 (c) the Division determines to be an habitually excessive user of alcohol, who illegally uses
13 narcotic or other impairing drugs, or who is mentally or emotionally impaired to an extent
14 that may be injurious to children;
15 (d) refuses to consent to a criminal history record check; or
16 (e) intentionally falsifies any information required to conduct a criminal history record check.
- 17 (3) a "provisional child care provider" means an individual who:
18 (a) currently resides outside the State of North Carolina; or
19 (b) has resided outside the State of North Carolina at any time during the five years prior to
20 submitting documents for a criminal history record check in accordance with 10A
21 NCAC 09 .2703; and
22 (c) has provided a copy of the county criminal history from the county where they currently
23 reside outside the State of North Carolina or from the county or counties where they have
24 resided outside the State of North Carolina in the past five years; and
25 (d) the Division has determined is fit to have responsibility for the safety and well-being of
26 children in accordance with G.S. 110-90.2(b), but the Division has not yet received the
27 results of the state sex offender registry check, the state abuse and neglect registry, or
28 the state criminal history check from the state or states in which the individual currently
29 resides or has resided at any time during the five years prior to submitting documents for a
30 criminal history check in accordance with 10A NCAC 09 .2703.
- 31 ~~(3)~~(4) a "qualification letter" or "qualifying letter" means the letter issued by the Division notifying an
32 individual that he or she is a qualified child care provider;
- 33 ~~(4)~~(5) a "conviction" includes when a plea of guilty or no contest is accepted by the trial court, or entry of
34 an order granting a prayer for judgment continued; and
- 35 ~~(5)~~(6) a "pending criminal charge" includes, but is not limited to, a charge that has been deferred pursuant
36 to G.S. 15A-1341(a1).
37

1 *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.*
2 *23.25;*
3 *Temporary Adoption Eff. January 1, 1996;*
4 *Eff. April 1, 1997;*
5 *Amended Eff. March 1, 2014; November 1, 2007; April 1, ~~2003~~ 2003;*
6 *Readopted Eff. January 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2703

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 8 – replace “form(s)” with “forms”

Lines 18, 20, 21 23, and 24 – add “the” at the beginning of these lines

Line 27 – replace “the criminal history record check” with “fingerprint impressions” if that is what is meant.

Lines 30, 31, and 34 – replace “must” with “shall”

Line 31 – add a comma after “home”

Line 33 – delete the comma after “residence”

Line 35 – replace “may” with “shall”

Line 36 – do you mean “may” or “shall”? If “may,” what standards, factors, or circumstances determine whether administrative action will be taken?

Page 2, line 1 – do you mean “may” or “shall”? If “may,” what standards, factors, or circumstances determine whether a qualification letter will be issued?

Page 2, line 7 – replace “are not” with “shall not be”

Page 2, line 12 – add “license of a” before “family”

Page 2, line 12 – add a comma after “residence”

Page 2, line 12 – delete “license”

Page 2, line 19 – replace “Mandatory reporting requires all” with “All”

Page 2, line 21 – replace “to” with “shall”

Jason Thomas
Commission Counsel

Date submitted to agency: Tuesday, November 27, 2018

Page 2, line 23 – add a comma after “indictments”

Page 2, line 24 – replace “is” with “shall be”

Page 2, line 27 – do you mean “may” or “shall”? If “may,” what standards, factors, or circumstances determine whether a new criminal background check will be completed?

Page 2, line 28 – replace “when” with “if”

Page 2, line 30 – delete “Any”

Page 2, line 31 – delete the comma

Page 2, line 32 – add “of their 16th birthday” after “days”

Page 2, line 33 – replace “must” with “shall”

Page 2, line 33 – replace “any” with “all”

Page 2, line 33 – add “have” before “moved”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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) 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) length of time since conviction;
- (2) whether the child care provider is currently on probation;
- (3) nature of the offense;
- (4) circumstances surrounding the commission of the offense or offenses;
- (5) evidence of rehabilitation;
- (6) number and type of prior offenses; and
- (7) 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 have a valid qualification letter prior to employment or living in the family child care home and the qualification letter must 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 may be counted in staff-child ratio. Provisional child care providers must be supervised at all times by an individual who received a qualifying result on a criminal background check within the past three years and may 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.

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

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

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

11 ~~(h)~~(j) Disqualification of a child care provider living in a family child care home shall be grounds for issuance of a
12 summary suspension of the family child care home or center in a residence license in accordance with 10A NCAC 09
13 ~~.2207. 2213.~~

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

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

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

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

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

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

33 ~~(o)~~(q) Child care operators must notify the Division of any new child care providers who are hired or moved into the
34 home within five business days by submitting the form provided by the Division.

36 *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.
37 2012-160, s.1;

1 *Temporary Adoption Eff. January 1, 1996;*
2 *Eff. April 1, 1997;*
3 *Amended Eff. March 1, 2014; November 1, ~~2007.~~ 2007.*
4 *Readopted Eff. January 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2704

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 8 – replace “form(s)” with “forms”

Line 12 – replace “individuals” with “individual” twice

Line 12 – replace “move” with “moves” and “live” with “lives”

Line 13 – replace “have” with “has”

Line 16 – add “whichever is earlier” after “birthday”

Line 17 – replace “the complete” with “a complete”

Line 19 – replace “the criminal” with “a criminal”

Line 20 – delete “then”

Line 20 – replace “must” with “shall”

Line 20 – replace “any” with “all”

Line 24 – delete the comma

Line 27 – delete “could be used by” and add “shall use” after “Division” if that is what is meant.

Lines 29, 31, 32, 34, and 35 – add “the” at the beginning of these lines

Line 36 – add a comma after “Information”

Page 2, line 4 – capitalize “State” if you mean North Carolina

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

Page 2, line 12 – do you mean “may” or “shall”? If “may,” what standards, factors, or circumstances determine whether a new criminal background check will be completed?

Page 2, line 17 – replace “is” with “shall be”

Page 2, line 20 – replace “must” with “shall”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

1 **10A NCAC 09 .2704 is readopted as published in 32:14 NCR 1350 as follows:**

2
3 **10A NCAC 09 .2704 CRIMINAL HISTORY RECORD CHECK REQUIREMENTS FOR**
4 **NONLICENSED CHILD CARE PROVIDERS**

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

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

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

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

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

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

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

36 (e) The local purchasing agency shall mail the Authority for Release of Information using the form provided by the
37 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 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 complete a new criminal history record check at any time when the Department of Social Services or the Division of Child Development and Early Education conducts an investigation that references 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 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 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.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2801

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 8 – replace “applies” with “shall apply”

Line 10 – replace “is” with “shall be”

Line 12 – replace “when compliance” with “if it complies”

Line 13 – delete “is determined”

Line 16 – replace “must” with “shall”

Line 16 – replace “in compliance” with “met”

Line 16 – add “for a higher rating” after “assessed”

Line 17 – replace “are” with “shall be”

Line 19 – replace “precludes or interferes” with “shall preclude or interfere”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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

SECTION .2800 - VOLUNTARY RATED LICENSES

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

10A NCAC 09 .2801 SCOPE

(a) This Section applies to all child care facilities that have achieved or wish to achieve a voluntary rated license of two stars or higher. ~~higher or that apply to be assessed for a voluntary rated license of two stars or higher.~~

(b) A child care facility is eligible for a voluntary rated license of two through five ~~stars~~. stars upon application and assessment of compliance with the requirements of this Section.

(c) A one-star rated license shall be issued to a child care facility when compliance with G.S. 110-91 and this Chapter is determined.

~~(e)~~(d) No requirement in any component of a two-star or higher rating shall be less than the requirements for a one-star rating described in G.S. 110-91 and this Chapter. Prior to issuance of an initial two through five-star rating, all requirements in G.S. 110-91 and this Chapter must be in compliance at the time the program is assessed. The requirements for a ~~voluntary~~ rated license of two stars or higher are in addition to the standards found in G.S. 110-91 and this Chapter.

~~(d)~~(e) Nothing in this Section precludes or interferes with issuance of an administrative action as allowed by G.S. 110-110, Article 7 and this Chapter.

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

*History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;
Eff. April 1, 1999;
Amended Eff. July 1, 2010; May 1, 2006, 2006;
Readopted Eff. March 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2802

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Lines 5-7 – is Paragraph (a) intended to require that a center or home be in operation for 6 months prior to applying for a 2- to 5-star rating? It doesn't clearly do that as it is written.

Line 6 – add "shall" before "apply"

Line 6 – replace "request" with "a request for"

Line 6 – add "license" before "rating"

Lines 12 and 20 – replace "must" with "shall"

Line 25 – do you mean "may" or "shall"? If "may," what standards, factors, or circumstances determine whether a record review or site visit will be included in the assessment?

Line 26 – delete "The Division shall provide for"

Line 28 – replace "to" with "shall"

Line 28 – add "by the Division" after "completed" if this is accurate.

Page 2, line 4 – replace "are not" with "have not been"

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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 an initial two- through five-star rated 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 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 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 include a review of Division records and site visits.

(f) The Division shall provide for 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 to operators requesting an initial three or more points for program standards. For centers with a licensed capacity of 3 to 12 children located in a residence, a Family Child Care Rating Scale- Revised Edition assessment shall be completed.

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

- 1 (1) If the assessment indicates all the applicable requirements to achieve the score for the requested
2 rating have been met, the Division shall issue the rating.
- 3 (2) If the assessment indicates all the applicable requirements to achieve the score for the requested
4 rating are not met, the Division shall notify the operator of the requirements that were not met and
5 the requested ~~voluntary two- through five-star~~ rating shall not be issued. The operator may:
- 6 (A) ~~Accept~~ accept the rating for which the Division has found the operator to be eligible;
7 (B) ~~Withdraw~~ withdraw the request and reapply when the identified requirements to achieve
8 the score for the requested rating have been met; or
9 (C) ~~Appeal~~ appeal the denial of the requested rating as provided in G.S. 110-94.

10
11 *History Note:* Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b);
12 Eff. April 1, 1999;
13 Amended Eff. September 1, 2012; July 1, 2010; May 1, ~~2006~~. 2006.
14 Readopted Eff. March 1, 2019.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2806

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – delete the comma

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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, 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.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2809

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 6 – replace “Or” with “In the alternative”

Line 8 – replace “must” with “shall” and replace “which” with “that”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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

10A NCAC 09 .2809 ENHANCED SPACE REQUIREMENTS

(a) There shall be at least 30 square feet inside space per child per the total licensed capacity and ~~400~~ 75 square feet outside space ~~per the total licensed capacity.~~ for each child using the outdoor learning environment at any one time.

Or, there shall be at least 35 square feet inside space per child per the total licensed capacity and ~~400~~ 75 square feet outside space per child for at least 50 percent of the total licensed capacity.

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

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

Eff. April 1, 1999;

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

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

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

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

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

1 Section shall be met, and have an average score of 4.0 on the appropriate environment rating scale referenced in Rule
2 .2802(e) of this Section in each classroom evaluated.

3 (d) To achieve four points for program standards, the center shall meet all the applicable requirements in Rules .2804
4 .2808 and .2818(b) of this Section, and have an average combined score of 4.5, with no one classroom score lower
5 than 4.0 on the appropriate environment rating scale referenced in Rule .2802(e) of this Section for all classrooms
6 evaluated.

7 (e) To achieve five points for program standards, the center shall meet all the applicable requirements in Rules .2804
8 .2808 and .2818(b) of this Section, and have an average combined score of 4.75, with no one classroom score lower
9 than 4.0, on the appropriate environment rating scale referenced in Rule .2802(e) of this Section for all classrooms
10 evaluated.

11 (f) To achieve six points for program standards, the center shall meet all the applicable requirements in Rules .2804
12 .2809 and .2818(b) of this Section, and have an average combined score of 5.0, with no one classroom score lower
13 than 4.0 on the appropriate environment rating scale referenced in Rule .2802(e) of this Section for all classrooms
14 evaluated.

15 (g) To achieve seven points for program standards, the center shall meet all the applicable requirements in Rules
16 .2804 .2809 and .2818(c) of this Section, and have an average score of 5.0 on the appropriate environment rating
17 scale referenced in Rule .2802(e) of this Section in each classroom evaluated.

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

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

22 *Eff. May 1, 2006; 2006;*

23 *Readopted Eff. March 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2818

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – replace “applies” with “shall apply”

Lines 5, 7, 20, and page 2 lines 13 and 14 – replace “staff/child” with “staff-to-child”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

10A NCAC 09 .2818 is readopted 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 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) .0713(a)(1) through (8), (d), and (e) and .0713(b) through (j) 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.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2819

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – replace “applies” with “shall apply”

Line 6 – replace “are” with “shall be”

Line 6 – replace “along with” with “and”

Line 8 – replace “under” with “pursuant to”

Page 5, line 10 – replace “when” with “if”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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 to evaluating the education standards for an on-site administrator for child care centers. The points for education standards are determined by applying this Rule along with 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 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 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.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2820

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – replace “applies” with “shall apply”

Line 5 – move “all lead teachers” to immediately after “evaluating”

Line 5 – add “in” before “child”

Line 5 – delete “with regards to”

Line 6 – replace “are” with “shall be”

Line 6 – replace “along with” with “and”

Line 7 – replace “under” with “pursuant to”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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 to evaluating child care centers with regards to all lead teachers. The points for education standards are determined by applying this Rule along with 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 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.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2821

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – replace “applies” with “shall apply”

Line 5 – move “all teachers” to immediately after “evaluating”

Line 5 – add “in” before “child”

Line 5 – delete “with regards to”

Line 6 – replace “are” with “shall be”

Line 6 – replace “along with” with “and”

Line 7 – replace “under” with “pursuant to”

Line 9 – replace “staff/child” with “staff-to-child”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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 to evaluating child care centers with regards to all teachers. The points for education standards are determined by applying this Rule along with 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 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.

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2822

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – replace “applies” with “shall apply”

Line 5 – move “program coordinators” to immediately after “evaluating”

Line 5 – add “in” before “child”

Line 5 – delete “with regards to”

Line 6 – replace “are” with “shall be”

Line 6 – replace “along with” with “and”

Line 7 – replace “under” with “pursuant to”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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 to evaluating child care centers with regards to program coordinators. The points for education standards are determined by applying this Rule along with 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 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>Completed 6 additional hours and</u>	<u>750; or</u>	<u>900.</u>

<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>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 program, or 300 hours of verifiable experience working with school aged children in an unlicensed school age care or camp setting; or~~

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

1 ~~age care program; or 450 hours of working with school-aged children in an unlicensed school-age~~
2 ~~care or camp setting; or~~

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

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

9
10 *History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;*

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

12 *Readopted Eff. March 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2823

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 7 – replace “applies” with “shall apply”

Line 7 – move “group leaders and assistant group leaders” to immediately after “evaluating”

Line 7 – add “in” before “child”

Line 7 – delete “with regards to”

Line 8 – replace “are” with “shall be”

Line 8 – replace “along with” with “and”

Line 10 – replace “under” with “pursuant to”

Line 11 – delete “all”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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 to evaluating child care centers with regards to group leaders and assistant group leaders. The points for education standards are determined by applying this Rule along with 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 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) 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>All at least 16 years</u>	<u>All assistant</u>		<u>250; or</u>	<u>400.</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>of age; and</u>	<u>group leaders; or</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~~

(2) ~~100 hours of verifiable experience working with school aged children in a licensed child care program; or~~

- 1 (3) ~~150 hours of verifiable experience working with school aged children in an unlicensed school age~~
2 ~~care or camp setting; or~~
- 3 (4) ~~Any combination of Subparagraphs (1) through (3) of this Paragraph.~~
- 4 (e) ~~To achieve five points, all group leaders shall have completed the BSAC training or its equivalent, and~~
- 5 (1) ~~50 percent of the group leaders shall have either:~~
- 6 (A) ~~Completed two semester hours of school age care related coursework; or~~
- 7 (B) ~~300 hours of verifiable experience working with school aged children in a licensed child~~
8 ~~care program; or~~
- 9 (C) ~~450 hours of verifiable experience working with school aged children in an unlicensed~~
10 ~~school age care or camp setting; or~~
- 11 (D) ~~Any combination of Subparagraphs (A) through (C) of this Paragraph; and~~
- 12 (2) ~~All assistant group leaders shall be at least 16 years of age and shall have either:~~
- 13 (A) ~~Completed the BSAC training or its equivalent; or~~
- 14 (B) ~~250 hours of verifiable experience working with school aged children in a licensed child~~
15 ~~care program; or~~
- 16 (C) ~~400 hours of verifiable experience working with school aged children in an unlicensed~~
17 ~~school age care or camp setting; or~~
- 18 (D) ~~Any combination of Subparagraphs (A) through (C) of this Paragraph.~~
- 19 (f) ~~To achieve six points, all group leaders shall have completed the BSAC training or its equivalent, and~~
- 20 (1) ~~50 percent of group leaders shall have:~~
- 21 (A) ~~Completed two semester hours of school age care related coursework and have completed~~
22 ~~or be enrolled in two additional semester hours of school age related coursework; or~~
- 23 (B) ~~600 hours of verifiable experience working with school aged children in a licensed child~~
24 ~~care program; or~~
- 25 (C) ~~900 hours of verifiable experience working with school aged children in an unlicensed~~
26 ~~school age care or camp setting; or~~
- 27 (D) ~~Any combination of Subparagraphs (A) through (C) of this Paragraph; and~~
- 28 (2) ~~All assistant group leaders shall be 17 years of age and shall have either;~~
- 29 (A) ~~Completed the BSAC training or its equivalent; or~~
- 30 (B) ~~250 hours of verifiable experience working with school aged children in a licensed child~~
31 ~~care program; or~~
- 32 (C) ~~400 hours of verifiable experience working with school aged children in an unlicensed~~
33 ~~school age care or camp setting; or~~
- 34 (D) ~~Any combination of Subparagraphs (A) through (C) of this Paragraph.~~
- 35 (g) ~~To achieve seven points, all assistant group leaders shall be 18 years of age and shall have completed the BSAC~~
36 ~~training or its equivalent and all group leaders shall have completed the BSAC training or its equivalent, and 75 percent~~
37 ~~of the group leaders shall have:~~

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

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

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2824

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 6 – replace “applies” with “shall apply”

Line 7 – replace “are” with “shall be”

Line 7 – replace “along with” with “and”

Line 9 – replace “under” with “pursuant to”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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 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 determined by applying this Rule along with Rules .2825 and .2826 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained under 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> Point Level	<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~~
- ~~(2) 1600 hours of verifiable experience performing administrative duties in a licensed school aged program.~~

1 (c) ~~To achieve three points, the administrator shall have:~~

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

3 (2) ~~Either:~~

4 (A) ~~300 additional hours of verifiable experience performing administrative duties in a licensed~~
5 ~~child care program; or~~

6 (B) ~~450 additional hours of verifiable experience performing administrative duties in an~~
7 ~~unlicensed school aged care or camp setting.~~

8 (d) ~~To achieve four points, the administrator shall have:~~

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

10 (2) ~~Either:~~

11 (A) ~~450 additional hours of verifiable experience performing administrative duties in a licensed~~
12 ~~child care program; or~~

13 (B) ~~600 additional hours of verifiable experience performing administrative duties in an~~
14 ~~unlicensed school age care or camp setting.~~

15 (e) ~~To achieve five points, the administrator shall have:~~

16 (1) ~~A Level II North Carolina Early Childhood Administration Credential or its equivalent; and~~

17 (2) ~~Either:~~

18 (A) ~~600 additional hours of verifiable experience performing administrative duties in a licensed~~
19 ~~child care program serving school aged children; or~~

20 (B) ~~750 additional hours of verifiable experience performing administrative duties in an~~
21 ~~unlicensed school aged care or camp setting.~~

22 (f) ~~To achieve six points, the administrator shall have:~~

23 (1) ~~A Level II North Carolina Early Childhood Administration Credential or its equivalent; and~~

24 (2) ~~Either:~~

25 (A) ~~750 additional hours of verifiable experience performing administrative duties in a licensed~~
26 ~~child care program serving school aged children; or~~

27 (B) ~~1150 additional hours of verifiable experience performing administrative duties in an~~
28 ~~unlicensed school aged care or camp setting.~~

29 (g) ~~To achieve seven points, the administrator shall have:~~

30 (1) ~~A Level III North Carolina Early Childhood Administration Credential or its equivalent; and~~

31 (2) ~~Either:~~

32 (A) ~~900 additional hours of verifiable experience performing administrative duties in a licensed~~
33 ~~child care program serving school aged children; or~~

34 (B) ~~1350 additional hours of verifiable experience performing administrative duties in an~~
35 ~~unlicensed school aged care or camp setting.~~

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

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

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2825

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 6 – replace “applies” with “shall apply”

Line 7 – replace “are” with “shall be”

Lines 7-8 – replace “along with” with “and”

Line 9 – replace “under” with “pursuant to”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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 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 determined by applying this Rule along with Rules .2824 and .2826 of this Section. To determine the points attained for meeting the education standards, the lowest number of points attained under 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>BA/BS; and</u>		<u>Completed 3 additional hours; or</u>		

<u>Program Coordinator (.2825)</u> <u>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>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~~
- (2) ~~Completed nine additional semester hours of school aged care related coursework and either:~~

- 1 (A) ~~600 hours of verifiable experience working with school aged children in a licensed child~~
2 ~~care program; or~~
- 3 (B) ~~900 hours of verifiable experience working with school aged children in an unlicensed~~
4 ~~school aged care or camp setting; or~~
- 5 (3) ~~A BA/BS degree or higher with six additional semester hours of school aged related coursework~~
6 ~~and either:~~
- 7 (A) ~~300 hours of verifiable experience working with school aged children in a licensed school-~~
8 ~~aged care program; or~~
- 9 (B) ~~450 hours of working with school aged children in an unlicensed school aged care or camp~~
10 ~~setting; or~~
- 11 (4) ~~A Level IV certification or higher on the SA scale and either:~~
- 12 (A) ~~300 hours of verifiable experience working with school aged children in a licensed school-~~
13 ~~aged care program; or~~
- 14 (B) ~~450 hours of working with school aged children in an unlicensed school aged care or camp~~
15 ~~setting.~~
- 16 ~~(h)(c)~~ As used in this Rule, the definition of the term "experience working with ~~school aged~~ school-age children" in
17 Rule .2510(h) of this Chapter shall apply.
- 18 ~~(i)(d)~~ For programs with a licensed capacity of 200 or more ~~school aged~~ school-age children, there shall be two
19 program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional
20 program coordinator shall have completed the applicable staff requirements in Rule .2510(b) of this Chapter.
- 21
- 22 *History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;*
23 *Eff. August 1, ~~2012~~, 2012;*
24 *Readopted Eff. March 1, 2019.*

1 **10A NCAC 09 .2826 is repealed through readoption as published in 32:14 NCR 1366 as follows:**

2
3 **10A NCAC 09 .2826 EDUCATION STANDARDS FOR GROUP LEADERS AND ASSISTANT GROUP**
4 **LEADERS FOR A RATED LICENSE FOR CENTERS THAT PROVIDE CARE**
5 **ONLY TO SCHOOL-AGED CHILDREN**

6
7 *History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3;*

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

9 *Repealed Eff. March 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2827

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 6 – replace “applies” with “shall apply”

Line 5 – move “the operator” to immediately after “evaluating”

Line 7 – add “of” before “child”

Line 7 – delete “with regards to”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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 to evaluating family child care 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>		✓ ; or	<u>Level I</u> <u>or higher.</u>			
<u>4 Points</u>			<u>Level II</u> <u>or higher; or</u>			
		✓ ; or	<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>	
		✓ ; or	<u>Level I or higher;</u> <u>and</u>	<u>12 hours in</u> <u>early</u> <u>childhood</u> <u>education or</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>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.~~

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2828

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 6 – replace “applies” with “shall apply”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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 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.~~

17
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.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2829

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 4 – do you mean “may” or “shall”? If “may,” what other factors affect whether points are earned?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

10A NCAC 09 .2829 is readopted with changes as published in 32:14 NCR 1369-1371 as follows:

10A NCAC 09 .2829 QUALITY POINT OPTIONS

Operators may 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(c) 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~~

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

- (e) ~~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.~~

Quality Point Programmatic Options (.2829)	
<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> (1) <u>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> (2) <u>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>Quality Point Programmatic Options (.2829)</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>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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*History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s. 10.7(b);
Eff. May 1, 2006;
Amended Eff. December 1, 2006;
Recodified from Rule .2823 Eff. August 1, 2012;
Amended Eff. July 1, 2015; September 1, ~~2012~~ 2012;
Readopted Eff. March 1, 2019.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2830

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: *This request may extend to several pages. Please be sure you have reached the end of the document.*

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Lines 6, 20, and 24 – do you mean “may” or “shall”? If “may,” what standards, factors, or circumstances determine whether these discretionary actions will be taken?

Line 7 – replace “violation(s)” with “violations”

Line 11 – do not capitalize “Environmental Rating Scale” unless it is a proper noun.

Lines 17 and 21 – replace “which results” with “that result”

Line 21 – replace “employment related” with “employment-related”

Line 27 – add commas after “.2802(e)” and “charge”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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 take one or more of the following actions:

- (1) ~~Advise~~ advise the operator to submit written verification that the violation(s) 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. ~~110~~ 110, Article 7 and this
~~Subchapter~~ Chapter.

(b) If changes unrelated to employment occur at a facility which ~~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 take any of the actions described in Paragraph (a) of this Rule.

(c) If employment related changes occur at a facility which results 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 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) free of 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.*

REQUEST FOR TECHNICAL CHANGE

AGENCY: Child Care Commission

RULE CITATION: 10A NCAC 09 .2831

DEADLINE FOR RECEIPT: Friday, December 7, 2018

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may call our office to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends that the following technical changes be made:

Line 5 – delete “for”

Line 7 – add a comma after “assessments”

Line 8 – add a comma after “Section”

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Jason Thomas
Commission Counsel
Date submitted to agency: Tuesday, November 27, 2018

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

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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 as referenced in Rule
8 .2802(e) of this Section performed at his or her own expense in addition to the free one performed by the Division.
9 The additional rating scale assessments shall be completed by individuals approved by the Division to perform them.
10 Approval shall be based upon the individual's successful completion of training designated or authorized by the authors
11 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.*