

1 10A NCAC 09 .0804 has been amended with changes as published in 28:19 NCR 2302 as follows:

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3 10A NCAC 09 .0804 INFECTIOUS AND CONTAGIOUS DISEASES

4 (a) Centers may provide care for a mildly ill child who has a Fahrenheit temperature of less than 100 degrees  
5 axillary, or 101 degrees orally, ~~or 102 degrees rectally~~ and who remains capable of participating in routine group  
6 activities; provided and the child does not: shall not have any of the following:

- 7 (1) have the sudden onset of diarrhea characterized by an increased number of bowel movements  
8 compared to the child's normal pattern and with increased stool water; ~~or~~
- 9 (2) have two or more episodes of vomiting within a 12 hour period; ~~or~~
- 10 (3) have a red eye with white or yellow eye ~~discharge~~ discharge, until 24 hours after treatment has  
11 started; treatment; or
- 12 (4) have scabies or lice; ~~or~~
- 13 (5) have known chicken pox or a rash suggestive of chicken pox; ~~or~~
- 14 (6) have tuberculosis, until a health professional states that the child is not infectious; ~~or~~
- 15 (7) have strep throat, until 24 hours after treatment has started; ~~or~~
- 16 (8) have pertussis, until five days after ~~appropriate antibiotic~~ treatment has started; treatment; or
- 17 (9) have hepatitis A virus infection, until one week after onset of illness or jaundice; ~~or~~
- 18 (10) have impetigo, until 24 hours after treatment has started; treatment; or
- 19 (11) have a physician's or other health professional's written order that the child be separated from  
20 other children.

21 (b) Centers ~~which~~ that choose to provide care for mildly ill children shall:

- 22 (1) follow all procedures to prevent the spread of communicable diseases described in 15A NCAC  
23 18A .2800, "Sanitation of Child Day Care Centers, Facilities"; as adopted by the Commission for  
24 Public Health;
- 25 (2) separate from the other children any child who becomes ill while in care or who is suspected of  
26 having a communicable disease or condition other than as described in Paragraph (a) of this Rule  
27 until the child leaves the center;
- 28 (3) notify all parents at enrollment that the center will be providing care for mildly ill children;
- 29 (4) immediately notify the parent of any child who becomes ill while in care or who is suspected of  
30 being ill with a communicable condition other than as described in Paragraph (a) of this Rule that  
31 the child is ill and ~~may not remain in care;~~ shall leave the center;
- 32 (5) immediately notify the parent of any sick child in care if the child's condition worsens while the  
33 child is in care.

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35 *History Note:* Authority G.S. 110-91(1); 110-91(1),(2); 143B-168.3;

36 *Eff. January 1, 1986;*

37 *Amended Eff. December 1, 2014; July 1, 1998; November 1, 1991; November 1, 1989.*

1 **10A NCAC 09 .1003 has been amended with changes as published in 28:19 NCR 2302-2303 as follows:**

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3 **10A NCAC 09 .1003 SAFE PROCEDURES**

4 (a) The driver or other adult in the vehicle shall assure that all children are transferred to a responsible person who  
5 is indicated on the child's application as specified in Rule .0801(a)(4) of this Chapter or as authorized by the parent.

6 (b) Each center shall establish safe procedures for pick-up and delivery of children. These procedures shall be  
7 communicated to parents, and a copy shall be posted in the center where they can ~~easily be seen.~~ seen by the parents.

8 Centers licensed for three to 12 children located in a residence are not required to post these procedures.

9 (c) A first-aid kit shall be located in each vehicle used on a regular basis to transport children. The first-aid kit shall  
10 be firmly mounted or ~~otherwise~~ secured if kept in the passenger compartment.

11 (d) For each child being ~~transported~~ transported, emergency and identifying information shall be in the vehicle.

12 (e) The driver shall:

13 (1) be 21 years old or a licensed bus driver;

14 (2) have a valid driver's license of the type required under North Carolina Motor Vehicle Law for the  
15 vehicle being driven or comparable license from the state in which the driver resides; and

16 (3) have no convictions of Driving While Impaired (DWI) or any other impaired driving offense  
17 within the previous three years.

18 (f) Each person in the vehicle ~~must~~ shall be seated in the manufacturer's designated areas. No child shall ride in the  
19 load carrying area or floor of a vehicle.

20 (g) Children shall not be left in a vehicle unattended by an adult.

21 (h) Children shall be loaded and unloaded from curbside or in a safe, off-street area, out of the flow of traffic, so  
22 that they are protected from all traffic hazards.

23 (i) Before children are transported, written permission from a parent shall be obtained ~~which that~~ shall include when  
24 and where the child is to be transported, expected time of departure and arrival, and the transportation provider.

25 (j) Parents may give standing permission, valid for up to 12 months, for routine transport of children to and from the  
26 center.

27 (k) When children are transported, staff in each vehicle shall have a functioning cellular telephone or other  
28 functioning two-way voice communication device with them for use in an emergency. Staff shall not use cellular  
29 telephones or other functioning two-way voice communication devices except in the case of an emergency and only  
30 when the vehicle is parked in a safe location.

31 (l) For routine transport of children to and from the center, staff shall have a list of the children being  
32 transported. Staff members shall use this list to check attendance as children board the vehicle and as they depart  
33 the vehicle. A list of all children being transported shall also be available at the center.

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35 *History Note: Authority G.S. 110-85; 110-91; 110-91(13); 143B-168.3;*

36 *Eff. January 1, 1986;*

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*Amended Eff. December 1, 2014; November 1, 2007; July 1, 1998; October 1, 1991; January 1, 1987.*

1 10A NCAC 09 .1723 has been amended with changes as published in 28:19 NCR 2309 as follows:

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3 10A NCAC 09 .1723 TRANSPORTATION REQUIREMENTS

4 To assure the safety of children whenever they are transported, the operator, or any other transportation provider,  
5 shall:

6 (1) have written permission from a parent to transport his or her child and notify the parent when and  
7 where the child is to be transported, and who the transportation provider will ~~be.~~ be:

8 (2) ensure that all children regardless of age or location in the vehicle shall be restrained by individual  
9 seat belts or child restraint devices. Only one person shall occupy each seat belt or child  
10 restraint ~~device.~~ device:

11 (3) be at least 18 years old, and have a valid driver's license of the type required under the North  
12 Carolina Motor Vehicle Law for the vehicle being driven, or comparable license from the state in  
13 which the driver resides, and no convictions of Driving While Impaired (DWI), or any other  
14 impaired driving offense, within the last three ~~years.~~ years:

15 (4) ensure that each child is seated in a manufacturer's designated ~~area.~~ area:

16 (5) ensure that a child shall not occupy the front seat if the vehicle has an operational passenger  
17 side ~~airbag.~~ airbag:

18 (6) never leave children in a vehicle unattended by an ~~adult.~~ adult:

19 (7) have emergency and identification information about each child in the vehicle whenever children  
20 are being ~~transported.~~ transported; and

21 (8) not use a cellular telephone or other functioning two-way voice communication device except in  
22 the case of an emergency and only when the vehicle is parked in a safe location.

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24 *History Note:* Authority G.S. 110-91; G.S. 110-91(13); 143B-168.3;

25 *Eff. July 1, 1998;*

26 *Amended Eff. December 1, 2014; April 1, 2003.*

1 10A NCAC 09 .2404 has been amended with changes as published in 28:19 NCR 2310 as follows:

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3 10A NCAC 09 .2404 INCLUSION/EXCLUSION REQUIREMENTS

4 (a) Centers may enroll mildly ill children over three months of age who meet the following inclusion criteria:

5 (1) Centers ~~that may~~ enroll children with Level One symptoms ~~may admit children~~ as follows:

6 (A) children who meet the guidelines for attendance in 10A NCAC 09 .0804, except that they  
7 are unable to participate fully in routine group activities and are in need of increased rest  
8 time or less vigorous activities; or

9 (B) children with fever controlled with medication of 101° or less axillary or 102° or  
10 less ~~orally; orally, or 101° or less axillary;~~

11 (2) Centers ~~that may~~ enroll children with Level Two symptoms ~~may admit children with the~~  
12 ~~following; as follows:~~

13 (A) ~~Inability inability~~ to participate in much group activity while requiring extra sleep, clear  
14 liquids, light ~~meals meals~~, and passive activities such as stories, videos or ~~music music~~,  
15 as determined by a health care professional; ~~or~~

16 (B) ~~Fever fever~~ controlled with medication of 103° maximum orally, or 102° maximum  
17 axillary, ~~or 104° maximum rectally~~, with a health care professional's written screening; ~~or~~

18 (C) ~~Vomiting vomiting~~ fewer than three times in any eight hour period, without signs of  
19 dehydration; ~~or~~

20 (D) ~~Diarrhea diarrhea~~ without signs of dehydration and without blood or mucus in the stool,  
21 fewer than five times in any eight hour period; or

22 (E) ~~With with~~ written approval from a child's physician and preadmission screening by an  
23 on-site health care professional prior to the current day's attendance unless excluded by  
24 Subparagraphs (b) (1), (2), (3), (4), (6), or (7) of this Rule.

25 (b) Any child exhibiting the following symptoms shall be excluded from any care:

26 (1) ~~Temperature temperature~~ unresponsive to control measures; ~~or~~

27 (2) ~~Undiagnosed undiagnosed~~ or unidentified rash; ~~or~~

28 (3) ~~Respiratory respiratory~~ distress as evidenced by an increased respiratory rate and  
29 unresponsiveness to treatment, flaring nostrils, labored ~~breathing breathing~~, or intercostal  
30 retractions; ~~or~~

31 (4) ~~Major major~~ change in condition requiring further care or evaluation; ~~or~~

32 (5) ~~Contagious contagious~~ diseases required to be reported to the health department, except as  
33 provided in Part (a)(2)(E) of this Rule; ~~or~~

34 (6) ~~Other other~~ conditions as determined by a health care professional or onsite administrator; or

35 (7) ~~Sluggish sluggish~~ mental status.

36 ~~(c) Children less than three months of age shall not be in care.~~

1 ~~(d)~~ (c) Once admitted, children shall be assessed and evaluated at least every four ~~hours~~ ~~hours~~, or more frequently if  
2 warranted based on medication administration or medical ~~treatment~~ ~~treatment~~, to determine if symptoms continue to  
3 meet inclusion criteria.

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

5 *Eff. April 1, 2003;*

6 *Amended Eff. December 1, 2014.*