



North Carolina Department of Health and Human Services

DIVISION OF CHILD DEVELOPMENT

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Beverly Eaves Perdue, Governor

Lanier M. Cansler, Secretary

Deborah J. Cassidy, Director

January 18, 2011

MEMORANDUM

TO: Interested Parties

FROM: Dedra Alston *da*
Rule-Making Coordinator

RE: Proposed Changes to Child Care Rules
10A NCAC 09

The NC Child Care Commission is proposing rule changes regarding Early Educator Certification (EEC) in accordance to G.S. 110-91(8a). During the 2010 Legislative Session, the NC General Assembly passed S 1119, which allows teachers and family child care home providers to obtain and maintain their Early Educator Certification through the Institute for Child Development Professionals. This certification is based solely on higher education attainment, and is an option for teaching staff to achieve additional educational qualifications. Amendments for the EEC are in Rules .0102, .2819, .2820 and .2822.

Amendments to Rules .0302 and .1702 provide a mechanism for an applicant to be licensed. The current rules do not allow any leeway for denials and these amendments would loosen the restrictive language.

Rule .2101 is being amended to correct a reference in the rule that no longer exists for religious-sponsored centers.

A public hearing will be held on February 10, beginning at 1:00 p.m. at the Division of Child Development, 319 Chapanoke Road, Suite 120, Raleigh, NC. A copy of the proposed rules as published in the January 18th, NC Register is attached and will also be available on the Division's website at www.ncchildcare.net under the "What's New" tab.

The Child Care Commission encourages and welcomes feedback from you. This is an opportunity for the public to provide input on the proposed rules. It will be helpful for the Commission to hear of your concerns or support for these changes, as the rules are finalized. Written comments may be submitted through March 21, 2011, to Dedra Alston, Rule-making Coordinator, NC Division of Child Development, 2201 Mail Service Center, Raleigh, NC 27699-2201 or by email to Dedra.Alston@dhhs.nc.gov. Please feel free to visit the Division of Child Development's website at www.ncchildcare.net as a source of information about child care and for any updates.

/dla

Attachment

TITLE 10A – DEPARTMENT OF HEALTH AND HUMAN SERVICES

Notice is hereby given in accordance with G.S. 150B-21.2 that the NC Child Care Commission intends to amend the rules cited as 10A NCAC 09 .0102, .0302, .1702, .2101, .2819, .2820 and .2822.

Proposed Effective Date: August 1, 2011

Public Hearing:

Date: February 10, 2011

Time: 1:00 p.m.

Location: Division of Child Development, 319 Chapanoke Road, Suite 120, Room 300, Raleigh, NC 27603

Reason for Proposed Action:

10A NCAC 09 .0102, .2819, .2820, .2822 - The NC Child Care Commission is proposing rule changes in the areas of Early Educator Certification (EEC) in accordance to G.S. 110-91(8a). During the 2010 Legislative Session, the NC General Assembly passed S 1119, which allows teachers and family child care home providers to obtain and maintain their Early Educator Certification through the Institute for Child Development Professionals. This certification is based solely on higher education attainment, and is an option for teaching staff to achieve additional educational qualifications. Amendments for the EEC are in Rules .0102, .2819, .2820 and .2822.

10A NCAC 09 .0302, .1702 – Amendments to Rules .0302 and .1702 provide a mechanism for an applicant to be licensed. The current rules do not allow any leeway for denials and these amendments would loosen the restrictive language that's currently in the rules.

10A NCAC 09 .2101 – Rule .2101 is being amended to correct a reference in the rule that no longer exists for religious-sponsored centers.

Procedure by which a person can object to the agency on a proposed rule: Anyone wishing to comment on these proposed rules or would like to request copies of the rules, should contact Dedra Alston, Rule-making Coordinator, NC Division of Child Development, 2201 Mail Service Center, Raleigh, NC 27699-2201, at (919) 890-7060 or Dedra.Alston@dhhs.nc.gov. Written comments will be accepted through March 21, 2011. Oral comments may be made during the public hearing. The Commission Chair may impose time limits for oral remarks.

Comments may be submitted to: Dedra Alston, Rule-making Coordinator, NC Division of Child Development, 2201 Mail Service Center, Raleigh, NC 27699-2201; phone (919) 890-7060; fax (919) 662-6199; email Dedra.Alston@dhhs.nc.gov

Comment period ends: March 21, 2011

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal Impact:

- State
- Local
- Substantial Economic Impact (≥\$3,000,000)
- None

CHAPTER 09 - CHILD CARE RULES

SECTION .0100 - DEFINITIONS

10A NCAC 09 .0102 DEFINITIONS

The terms and phrases used in this Chapter are defined as follows except when the content of the rule requires a different meaning. The definitions prescribed in G.S. 110-86 also apply to these Rules.

- (1) "Agency" as used in Section .2200 of this Chapter, means Division of Child Development, Department of Health and Human Services located at 319 Chapanoke Road, Suite 120, Raleigh, North Carolina 27603.
- (2) "Appellant" means the person or persons who request a contested case hearing.
- (3) "Basic School-Age Care" training (BSAC training) means the training on the elements of quality afterschool care for school-age children, developed by the North Carolina State University Department of 4-H Youth Development and subsequently revised by the North Carolina School-age Quality Improvement Project. Other training shall be approved if the Division determines that the content of the training offered is substantially equivalent to the BSAC training.
- (4) "Child Care Program" means a single center or home, or a group of centers or homes or both, which are operated by one owner or supervised by a common entity.

- (5) "Child care provider" as defined by G.S. 110-90.2 (a) (2) a. and used in Section .2700 of this Chapter, includes the following employees who have contact with the children in a child care program: facility directors, administrative staff, teachers, teachers' aides, cooks, maintenance personnel, and drivers.
- (6) "Child Development Associate Credential" means the national early childhood credential administered by the Council for Early Childhood Professional Recognition.
- (7) "Developmentally appropriate" means suitable to the chronological age range and developmental characteristics of a specific group of children.
- (8) "Division" means the Division of Child Development within the Department of Health and Human Services.
- (9) "Drop-in care" means a child care arrangement where children attend on an intermittent, unscheduled basis.
- (10) "Early Childhood Environment Rating Scale - Revised Edition" (Harms, Clifford, and Cryer, 2005, published by Teachers College Press, New York, NY) is the instrument used to evaluate the quality of care received by a group of children in a child care center, when the majority of children in the group are two and a half years old through five years old, to achieve three or more points for the program standards of a rated license. This instrument is incorporated by reference and includes subsequent editions. Individuals wishing to purchase a copy may call Teachers College Press at 1-800-575-6566. The cost of this scale in May 2010 is nineteen dollars and ninety-five cents (\$19.95). A copy of this instrument is on file at the Division at the address given in Item (1) of this Rule and is available for public inspection during regular business hours.
- (11) "Family Child Care Environment Rating Scale -- Revised Edition" (Harms, Cryer and Clifford, 2007, published by Teachers College Press, New York, NY) is the instrument used to evaluate the quality of care received by children in family child care homes to achieve three or more points for the program standards of a rated license. This instrument is incorporated by reference and includes subsequent editions. Individuals wishing to purchase a copy may call Teachers College Press at 1-800-575-6566. The cost of this scale in May 2010 is nineteen dollars and ninety-five cents (\$19.95). A copy of this instrument is on file at the Division at the address given in Item (1) of this Rule and is available for public inspection during regular business hours.
- (12) "First aid kit" is a collection of first aid supplies (such as bandages, tweezers, disposable nonporous gloves, micro shield or face mask, liquid soap, cold pack) for treatment of minor injuries or stabilization of major injuries.
- (13) "Group" means the children assigned to a specific caregiver or caregivers, to meet the staff/child ratios set forth in G.S. 110-91(7) and this Chapter, using space which is identifiable for each group.
- (14) "Health care professional" means:
 - (a) a physician licensed in North Carolina;
 - (b) a nurse practitioner approved to practice in North Carolina;
 - (c) a licensed physician assistant.
- (15) "Household member" means a person who resides in a family home as evidenced by factors including, maintaining clothing and personal effects at the household address, receiving mail at the household address, using identification with the household address, or eating and sleeping at the household address on a regular basis.
- (16) "If weather conditions permit" means:
 - (a) temperatures that fall within the guidelines developed by the Iowa Department of Public Health and specified on the Child Care Weather Watch chart. These guidelines shall be used when determining appropriate weather conditions for taking children outside for outdoor learning activities and playtime. This chart may be downloaded free of charge from <http://www.idph.state.ia.us/hcci/common/pdf/weatherwatch.pdf>, and is incorporated by reference and includes subsequent editions and amendments;
 - (b) healthy air quality as forecast by the Department of Environment and Natural Resources' Air Quality Forecasts and Information web page. The Air Quality Color Guide can be found on the Division's web site at <http://xapps.enr.state.nc.us/aq/ForecastCenter> or call 1-888-RU4NCAIR (1-888-784-6224); and
 - (c) no active precipitation. Caregivers may choose to go outdoors when there is active precipitation if children have appropriate clothing such as rain boots and rain coats, or if they are under a covered area.
- (17) "Infant/Toddler Environment Rating Scale - Revised Edition" (Harms, Cryer, and Clifford, 2003, published by Teachers College Press, New York, NY) is the instrument used to evaluate the quality of care received by a group of children in a child care center, when the majority of children in the group are younger than thirty months old, to achieve three or more points for the program standards of a rated license. This instrument is incorporated by reference and includes subsequent editions. Individuals wishing to purchase a copy may call Teachers College Press at 1-800-575-6566. The cost of this scale in May 2010 is nineteen dollars and ninety-five cents (\$19.95). A copy of this instrument is on file at the Division at the address given in Item (1) of this Rule and is available for public inspection during regular business hours.
- (18) "ITS-SIDS Training" means the Infant/Toddler Safe Sleep and SIDS Risk Reduction Training developed by the NC Healthy Start Foundation for the Division of Child Development for caregivers of children ages 12 months and younger.
- (19) "Licensee" means the person or entity that is granted permission by the State of North Carolina to operate a child care facility. The owner of a facility is the licensee.
- (20) "North Carolina Early Educator Certification (certification)" is an acknowledgement of an individual's verified level of educational achievement based on a standardized scale. The North Carolina Institute for Child Development Professionals certifies individuals and assigns a certification level on two scales: the Early Care and Education Professional Scale (ECE Scale) or the School Age Professional Scale (SA Scale). Each scale reflects the amount of education earned in the content area pertinent to the ages of children served. The ECE Scale is designed for individuals working with or on behalf of children ages birth to five. The SA Scale is designed for individuals working with or on behalf of children ages 5 to 12 who are served in school age care settings.

- ~~(20)~~(21) "North Carolina Early Childhood Credential" means the state early childhood credential that is based on completion of coursework and standards found in the North Carolina Early Childhood Instructor Manual (published by the NC Community College System Office). These standards are incorporated by reference and include subsequent amendments. A copy of the North Carolina Early Childhood Credential requirements is on file at the Division at the address given in Item (1) of this Rule and is available for public inspection or copying at no charge during regular business hours.
- ~~(21)~~(22) "Owner" means any person with a five percent or greater equity interest in a child care facility, however, stockholders of corporations who own child care facilities are not subject to mandatory criminal history checks pursuant to G.S. 110-90.2 and G.S. 110-91(8) unless they are involved in day-to-day operations of the child care facility.
- ~~(22)~~(23) "Parent" means a child's parent, legal guardian, or full-time custodian.
- ~~(23)~~(24) "Part-time care" means a child care arrangement where children attend on a regular schedule but less than a full-time basis.
- ~~(24)~~(25) "Passageway" means a hall or corridor.
- ~~(25)~~(26) "Person" means any individual, trust, estate, partnership, corporation, joint stock company, consortium, or any other group, entity, organization, or association.
- ~~(26)~~(27) "Preschooler" or "preschool-age child" means any child who does not fit the definition of school-age child in this Rule.
- ~~(27)~~(28) "School-Age Care Environment Rating Scale" (Harms, Jacobs, and White, 1996, published by Teachers College Press) is the instrument used to evaluate the quality of care received by a group of children in a child care center, when the majority of the children in the group are older than five years, to achieve three or more points for the program standards of a rated license. This instrument is incorporated by reference and includes subsequent editions. Individuals wishing to purchase a copy may call Teachers College Press at 1-800-575-6566. The cost of this scale in May 2010 is nineteen dollars and ninety-five cents (\$19.95). A copy of this instrument is on file at the Division at the address given in Item (1) of this Rule and is available for public inspection during regular business hours.
- ~~(28)~~(29) "School-age child" means any child who is attending or who has attended, a public or private grade school or kindergarten and meets age requirements as specified in G.S. 115C-364.
- ~~(29)~~(30) "Seasonal Program" means a recreational program as set forth in G.S. 110-86(2)(b).
- ~~(30)~~(31) "Section" means Division of Child Development.
- ~~(31)~~(32) "Substitute" means any person who temporarily assumes the duties of a staff person for a time period not to exceed two consecutive months.
- ~~(32)~~(33) "Temporary care" means any child care arrangement which provides either drop-in care or care on a seasonal or other part-time basis and is required to be regulated pursuant to G.S. 110-86.
- ~~(33)~~(34) "Track-Out Program" means any child care provided to school-age children when they are out of school on a year-round school calendar.
- ~~(34)~~(35) "Volunteer" means a person who works in a child care facility and is not monetarily compensated by the facility.

Authority G.S. 110-85; 110-88; 143B-168.3.

SECTION .0300 - PROCEDURES FOR OBTAINING A LICENSE

10A NCAC 09 .0302 APPLICATION FOR A LICENSE FOR A CHILD CARE CENTER

- (a) The individual who will be legally responsible for the operation of the center, which includes assuring compliance with the licensing law and standards, shall apply for a license using the form provided by the Division. If the operator will be a group, organization, or other entity, an officer of the entity who is legally empowered to bind the operator shall complete and sign the application.
- (b) The applicant shall arrange for inspections of the center by the local health, building and fire inspectors. The applicant shall provide an approved inspection report signed by the appropriate inspector to the Division representative. A provisional classification may be accepted in accordance with Rule .0401(1) of this Chapter. When a center does not conform with a building, fire, or sanitation standard, the appropriate inspector may submit a written explanation of how equivalent, alternative protection is provided. The Division shall accept the inspector's documentation in lieu of compliance with the standard. Nothing in this Rule is to preclude or interfere with issuance of a provisional license pursuant to Section .0400 of this Chapter.
- (c) The applicant, or the person responsible for the day-to-day operation of the center, shall be able to describe the plans for the daily program, including room arrangement, staffing patterns, equipment, and supplies, in sufficient detail to show that the center shall comply with applicable requirements for activities, equipment, and staff/child ratios for the capacity of the center and type of license requested. The applicant shall make the following written information available to the Division for review to verify compliance with provisions of this Chapter and G.S. 110:
- (1) daily schedules;
 - (2) activity plans;
 - (3) emergency care plan;
 - (4) discipline policy;
 - (5) incident reports;
 - (6) incident logs; and
 - (7) a copy of the certified criminal history check for the applicant, or the applicant's designee as defined in Rule .2701(g) of this Chapter, from the Clerk of Superior Court's office in the county or counties where the individual has resided during the previous 12 months.
- (d) The applicant shall demonstrate to the Division representative that measures will be implemented to have the following information in the center's files and readily available to the representative for review:

- (1) Staff records which include an application for employment and date of birth; documentation of previous education, training, and experience; medical and health records; documentation of participation in training and staff development activities; and required criminal records check documentation;
 - (2) Children's records which include an application for enrollment; medical and immunization records; and permission to seek emergency medical care;
 - (3) Daily attendance records;
 - (4) Daily records of arrival and departure times at the center for each child;
 - (5) Records of monthly fire drills giving the date each drill is held, the time of day, the length of time taken to evacuate the building, and the signature of the person who conducted the drill;
 - (6) Records of monthly playground inspections documented on a checklist provided by the Division; and
 - (7) Records of medication administered.
- (e) The Division representative shall measure all rooms to be used for child care and shall assure that an accurate sketch of the center's floor plan is part of the application packet. The Division representative shall enter the dimensions of each room to be used for child care, including ceiling height, and shall show the location of the bathrooms, doors, and required exits on the floor plan.
- (f) The Division representative shall make one or more inspections of the center and premises to assess compliance with all applicable requirements as follows:
- (1) If all applicable requirements of G.S. 110 and this Section are met, the Division shall issue the license.
 - (2) If all applicable requirements of G.S. 110 and this Section are not met, the representative may recommend issuance of a provisional license in accordance with Section .0400 of this Chapter or the representative may recommend denial of the application. Final disposition of the recommendation to deny is the decision of the Secretary.
 - (3) The license shall be displayed in an area that parents are able to view daily.
- (g) When a person applies for a child care center license, the Secretary ~~may~~ shall deny the application for the license under the following circumstances:
- (1) if any child care facility license previously held by that person has been denied, revoked or summarily suspended by the Division;
 - (2) if the Division has initiated denial, revocation or summary suspension proceedings against any child care facility license previously held by that person and the person voluntarily relinquished the license;
 - (3) during the pendency of an appeal of a denial, revocation or summary suspension of any child care facility license previously held by that person;
 - (4) if the Division determines that the applicant has a relationship with an operator or former operator who previously held a license under an administrative action described in Subparagraph (1), (2), or (3) of this Paragraph. As used in this Rule, an applicant has a relationship with a former operator if the former operator would be involved with the applicant's child care facility in one or more of the following ways:
 - (A) would participate in the administration or operation of the facility;
 - (B) has a financial interest in the operation of the facility;
 - (C) provides care to children at the facility;
 - (D) resides in the facility; or
 - (E) would be on the facility's board of directors, be a partner of the corporation, or otherwise have responsibility for the administration of the business;
 - (5) based on the person's previous non-compliance as an operator with the requirements of G.S. 110 and this Chapter; or
 - (6) if abuse or neglect has been substantiated against the person.
- (h) In determining whether denial of the application for a license is warranted pursuant to Paragraph (g) of this Rule, the Division shall consider, among other things, any documentation provided by the applicant:
- (1) which describes the steps the applicant will take to prevent reoccurrence of noncompliance issues which led to any prior administrative action taken against a license previously held by the applicant;
 - (2) training certificates or transcripts from an accredited college or university related to providing quality child care for any coursework, and which were taken subsequent to any prior administrative action taken against a license previously held by the applicant;
 - (3) proof of employment in a licensed child care facility and references from the administrator or licensee of the child care facility regarding work performance;
 - (4) documentation of collaboration or mentorship with a licensed child care provider to obtain additional knowledge and experience related to operation of a child care facility; or
 - (5) documentation explaining relationships with persons meeting the criteria listed in Subparagraph (g)(4) of this Rule.

Authority G.S. 110-85; 110-88(2); 110-88(5); 110-91; 110-92; 110-93; 110-99; 143B-168.3.

SECTION .1700 - FAMILY CHILD CARE HOME REQUIREMENTS

10A NCAC 09 .1702 APPLICATION FOR A LICENSE FOR A FAMILY CHILD CARE HOME

(a) Any person who plans to operate a family child care home shall apply for a license using a form provided by the Division. The applicant shall submit the completed application, which complies with the following, to the Division:

- (1) Only one licensed family child care home shall operate at the location address of any home.
- (2) The applicant shall list each location address where a licensed family child care home will operate.

(b) When a family child care home will operate at more than one location address by cooperative arrangement among two or more families, the following procedures apply:

- (1) One parent whose home is used as a location address shall be designated the coordinating parent and shall co-sign the application with the applicant.
- (2) The coordinating parent shall know the current location address at all times and shall provide the information to the Division upon request.

(c) The applicant shall assure that the structure in which the family child care home is located complies with the following requirements:

- (1) The structure complies with the North Carolina Building Code for family child care homes or has written approval for use as a family child care home by the local building inspector.
- (2) The structure meets North Carolina Residential Building Code or is a manufactured home bearing a third party inspection label certifying compliance with the Federal Manufactured Home Construction and Safety Standards or certifying compliance with construction standards adopted and enforced by the State of North Carolina. Homes shall be installed in accordance with North Carolina Manufactured/Mobile Home Regulations adopted by the NC Department of Insurance. Exception: Single wide manufactured homes will be limited to a maximum of three preschool-age children (not more than two may be two years of age or less) and two school-age children.
- (3) All children are kept on the ground level with an exit at grade.
- (4) All homes are equipped with an electrically operated (with a battery backup) smoke detector, or one electrically operated and one battery operated smoke detector located next to each other.
- (5) All homes are provided with at least one five pound 2-A: 10-B: C type extinguisher readily accessible for every 2,500 square feet of floor area.
- (6) Fuel burning space heaters, fireplaces and floor furnaces which are listed and approved by the Department of Insurance for that installation and are provided with a protective screen attached securely to substantial supports are allowed. However, unvented fuel burning heaters and portable electric space heaters of all types are prohibited.
- (7) All indoor areas used by children are heated in cool weather and ventilated in warm weather.
- (8) Hot pipes or radiators which are accessible to the children are covered or insulated.
- (9) Accommodations for breastfeeding mothers are provided that include seating and an electrical outlet, in a place other than a bathroom, that is shielded from view by staff and the public, which may be used by mothers while they are breastfeeding or expressing milk.

(d) The applicant shall also submit supporting documentation with the application for a license to the Division. The supporting documentation shall include:

- (1) a copy of the certified criminal history check from the Clerk of Superior Court's office in the county or counties where the applicant and any household member(s) over age 15, have resided during the previous 12 months;
- (2) a copy of documentation of completion of a first aid and cardiopulmonary resuscitation (CPR) course;
- (3) proof of negative results of the applicant's tuberculosis test completed within the past 12 months;
- (4) a completed health questionnaire;
- (5) a copy of current pet vaccinations for any pet in the home;
- (6) a negative well water bacteriological analysis if the home has a private well;
- (7) copies of any inspections required by local ordinances; and
- (8) any other documentation required by the Division according to these Rules to support the issuance of a license.

(e) Upon receipt of a complete application and supporting documentation, a Division representative shall make an announced visit to each home unless the applicant meets the criteria in Paragraph (g) of this Rule to determine compliance with the requirements, to offer technical assistance when needed, and to provide information about local resources. The issuance of a license applies as follows:

- (1) If all applicable requirements of G.S. 110 and this Section are met, a license shall be issued;
- (2) If the applicable requirements are not met but the applicant has the potential to comply, the Division representative shall establish with the applicant a time period for the home to achieve full compliance. If the Division representative determines that all applicable requirements are met within the established time period, a license shall be issued; or
- (3) If all applicable requirements are not met or cannot be met within the established time, the Division shall deny the application. Final disposition of the recommendation to deny is the decision of the Division.

(f) The Division shall allow the applicant to temporarily operate prior to the Division representative's visit described in Paragraph (e) of this Rule when the applicant is currently licensed as a family child care home operator, needs to relocate, and notifies the Division of the relocation; and the Division representative is unable to visit before the relocation occurs. A person shall not operate until he or she has received from the Division either temporary permission to operate or a license.

(g) When a person applies for a family child care home license, the Secretary may ~~shall~~ deny the application for the license under the following circumstances:

- (1) if any child care facility license previously held by that person has been denied, revoked or summarily suspended by the Division;
- (2) if the Division has initiated denial, revocation or summary suspension proceedings against any child care facility license previously held by that person and the person voluntarily relinquished the license;
- (3) during the pendency of an appeal of a denial, revocation or summary suspension of any child care facility license previously held by that person;
- (4) if the Division determines that the applicant has a relationship with an operator or former operator who previously held a license under an administrative action described in Subparagraph (g)(1), (2), or (3) of this Rule. As used in this Rule, an applicant has a relationship with a former operator if the former operator would be involved with the applicant's child care facility in one or more of the following ways:

- (A) would participate in the administration or operation of the facility;
 - (B) has a financial interest in the operation of the facility;
 - (C) provides care to the children at the facility;
 - (D) resides in the facility; or
 - (E) would be on the facility's board of directors, be a partner of the corporation, or otherwise have responsibility for the administration of the business;
- (5) based on the person's previous non-compliance as an operator with the requirements of G.S. 110 and this Chapter; or
 - (6) if abuse or neglect has been substantiated against the person, or if abuse or neglect was substantiated against a household member.

(h) In determining whether denial of the application for a license is warranted pursuant to Paragraph (g) of this Rule, the Division shall consider, among other things, any documentation provided by the applicant:

- (1) which describes the steps the applicant will take to prevent reoccurrence of noncompliance issues which led to any prior administrative action taken against a license previously held by the applicant;
- (2) training certificates or transcripts from an accredited college or university related to providing quality child care for any coursework, and which were taken subsequent to any prior administrative action taken against a license previously held by the applicant;
- (3) proof of employment in a licensed child care facility and references from the administrator or licensee of the child care facility regarding work performance;
- (4) documentation of collaboration or mentorship with a licensed child care provider to obtain additional knowledge and experience related to operation of a child care facility; or
- (5) documentation explaining relationships with persons meeting the criteria listed in Subparagraph (g)(4) of this Rule.

~~(h)(i)~~ The license shall not be bought, sold, or transferred from one individual to another.

~~(h)(j)~~ The license is valid only for the location address/addresses listed on it.

~~(h)(k)~~ The license must be returned to the Division in the event of termination, revocation, suspension, or summary suspension.

~~(h)(l)~~ The license shall be displayed in a prominent place that parents are able to view daily and shall be shown to each child's parent when the child is enrolled.

~~(h)(m)~~ A licensee shall notify the Division whenever a change occurs which affects the information shown on the license.

Authority G.S. 110-85; 110-88(5); 110-91; 110-93; 110-99; 143B-168.3.

SECTION .2100 - RELIGIOUS-SPONSORED CHILD CARE CENTER REQUIREMENTS

10A NCAC 09 .2101 CENTERS OPERATING UNDER G.S. 110-106

(a) At least 30 days prior to the first day of operation of a new religious-sponsored child care center, the prospective operator shall send a "Letter of Intent to Operate" to the Division. That letter shall include the name, address, and telephone number of the operator and the center, if known; the proposed number and age range of children to be served; and the center's scheduled opening date. A representative of the Division shall contact the prospective operator no later than seven calendar days after the Letter of Intent is received to advise the operator of the applicable requirements and procedures.

(b) Religious-sponsored child care centers shall comply with all child care center requirements in this ~~Subchapter~~ Chapter except for the rules regarding age-appropriate activities in Rules .0505 - .0511(a) and .2508; and staff qualifications and training requirements in Paragraphs (d) through (f) of Rule .0703, Rules .0704, .0707 - .0711, and Paragraphs (a) through (d) of Rule .0714. For staff working with school-aged children only, ~~Paragraphs (a) - (i), (l), and (o)~~ of 10A NCAC 09 .2510 shall not apply regarding staff requirements. Compliance shall be documented at least annually using the same forms and in the same manner as for all other centers.

(c) The Division shall notify the operator in writing as to whether the center complies or does not comply with the requirements.

Authority G.S. 110-85; 110-106; 143B-168.3.

SECTION .2800 - VOLUNTARY RATED LICENSES

10A NCAC 09 .2819 EDUCATION STANDARDS FOR A TWO COMPONENT RATED LICENSE FOR CHILD CARE CENTERS

(a) This Rule applies to evaluating the education standards for a two component rated license for child care centers.

(b) To achieve two points for education standards, staff in the center shall meet the following requirements:

- (1) The on-site administrator shall have:
 - (A) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) Two years of full-time verifiable early childhood work experience; or one year experience in child care administration.
- (2) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its equivalent.
- (3) 75% of lead teachers shall have:
 - (A) The North Carolina Early Childhood Credential or its ~~equivalent~~; equivalent or at least a Level I Early Educator Certification on the Early Care and Education Professional Scale (ECE scale); and
 - (B) Completed or are enrolled in three semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework).

- (4) 50% of the teachers counted in staff/child ratios shall:
- (A) Have one year full time verifiable early childhood work experience, or
 - (B) Be enrolled in three semester hours in early childhood education or child development.
- (5) For centers providing school-age care, the following requirements shall also apply. Completion of these requirements may count toward meeting education and experience requirements in Subparagraphs (a)(1) through (a)(4) of this Rule:
- (A) The administrator shall have at least 150 hours of verifiable experience working with school-aged children in a licensed child care program, or at least 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;~~ Training or its equivalent;
 - (B) The individual designated as the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have completed or be enrolled in three additional semester hours of school-age care related coursework; or have at least 200 hours of verifiable experience working with school-aged children in a licensed child care program; or at least 300 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting;
 - (C) For centers providing school-age care with 200 or more school-aged children enrolled, there shall be two program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall have completed all the applicable staff requirements in Rule .2510(b) of this Chapter; and
 - (D) All group leaders shall have completed the BSAC ~~training;~~ training or its equivalent.
- (c) To achieve three points for education standards, staff in the center shall meet the following requirements:
- (1) The on-site administrator shall have:
 - (A) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) Six semester hours in early childhood education or child development (not including North Carolina Early Childhood Administration Credential coursework); and
 - (C) Two years of full-time verifiable early childhood work experience; or one year experience in child care administration.
 - (2) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its equivalent.
 - (3) All lead teachers shall have the North Carolina Early Childhood Credential or its ~~equivalent;~~ equivalent or at least a Level 1 certification on the ECE scale and; ~~and 75% of the lead teachers shall have:~~
 - (A) ~~75 percent of the lead teachers shall have completed~~ Completed three semester hours in early childhood education and be enrolled in three semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework); or one year full time verifiable early childhood work experience; or
 - (B) ~~One year full time verifiable early childhood work experience.~~ 50 percent of the lead teachers shall have at least a Level 2 certification on the ECE scale.
 - (4) 50% of the teachers counted in staff/child ratios shall have:
 - (A) Completed the North Carolina Early Childhood Credential or its ~~equivalent;~~ equivalent or at least a Level 1 certification on the ECE scale; or
 - (B) Completed three semester hours in early childhood education or child development; or
 - (C) Two years full time verifiable early childhood work experience.
 - (5) For centers providing school-age care, the following requirements shall also apply. Completion of these requirements may count toward meeting education and experience requirements in Subparagraphs (b)(1) through (b)(4) of this Rule:
 - (A) The administrator shall have at least 300 hours of verifiable experience working with school-aged children in a licensed child care program, or at least 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or shall complete the BSAC ~~Training;~~ Training or its equivalent;
 - (B) The individual designated as the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have completed three additional semester hours of school-age care related coursework; or shall have at least 300 hours of verifiable experience working with school-aged children in a licensed child care program; or at least 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp ~~setting;~~ setting or have at least a Level 1 certification on the SA scale;
 - (C) For centers providing school-age care with 200 or more school-aged children enrolled, there shall be two program coordinators on site; one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall have completed the applicable staff requirements of Rule .2510(b) of this Chapter; and
 - (D) All group leaders shall have completed the BSAC ~~training;~~ training or its equivalent, and 25% of the individuals designated as group leaders as allowed in Rule .2510 of this Chapter shall each have at least 100 hours of verifiable experience working with school-aged children in a licensed child care program, or shall have at least 150 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or shall have completed or be enrolled in at least two semester hours of school-age care related coursework.
- (d) To achieve four points for education standards, staff in the center shall meet the following requirements:
- (1) The on-site administrator shall have:
 - (A) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and

- (B) 18 semester hours in early childhood education or child development (not including North Carolina Early Childhood Administration Credential coursework), and one year experience in child care administration; or
 - (C) Six semester hours in early childhood education or child development (not including North Carolina Early Childhood Administration Credential coursework), and 10 years experience in child care administration.
- (2) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its equivalent.
- (3) All lead teachers shall have the North Carolina Early Childhood Credential or its equivalent, or Level 1 certification on the ECE scale and 75% shall have:
- ~~(A) Completed six semester hours in early childhood education or child development (not including the North Carolina Early Childhood Credential coursework), and be enrolled in three semester hours in early childhood education, or~~
 - ~~(B) Completed three semester hours of early childhood education and shall have three years full-time verifiable early childhood work experience, or~~
 - ~~(C) Five years full-time verifiable early childhood work experience.~~
- (A) 75 percent shall have completed six semester hours in early childhood education or child development (not including the North Carolina Early Childhood Credential coursework), and be enrolled in three semester hours in early childhood education, or completed three semester hours of early childhood education and shall have three years full-time verifiable early childhood work experience, or five years full-time verifiable early childhood work experience; or
 - (B) 50 percent of lead teachers shall have at least a Level 3 certification on the ECE scale.
- (4) 50% of the teachers counted in staff/child ratios shall have the North Carolina Early Childhood Credential or its equivalent. equivalent or have at least a Level 1 certification on the ECE scale.
- (5) For centers providing school-age care, the following requirements shall also apply. Completion of these requirements may count toward meeting education and experience requirements in Subparagraphs (c)(1) through (c)(4) of this Rule:
- (A) The administrator shall have at least 450 hours of verifiable experience working with school-aged children in licensed child care program, or at least 600 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or shall complete the BSAC Training; Training or its equivalent;
 - (B) The individual designated as the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have completed three additional semester hours of school-age care related coursework and shall have at least 200 hours of verifiable experience working with school-aged children in a licensed child care program; program, or at least 300 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or have at least a Level 1 certification on the SA scale and shall have at least 200 hours of verifiable experience working with school-aged children in a licensed child care program; or at least 300 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; or shall have at least 450 hours of verifiable experience working with school-aged children in a licensed child care program; or at least 600 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting;
 - (C) For centers providing school-age care with 200 or more school-aged children enrolled, there shall be two program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall have completed the applicable staff requirements in Rule .2510(b) of this Chapter;
 - (D) All group leaders shall have completed the BSAC ~~training;~~ training or its equivalent, and 25% of the individuals designated as group leaders as allowed in Rule .2510 of this Chapter shall each have at least 100 hours of verifiable experience working with school-aged children in a licensed child care program, or shall have at least 150 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or have completed at least two semester hours of school-age care related coursework; and
 - (E) Assistant group leaders shall be at least 16 years of age.
- (e) To achieve five points for education standards, staff in the center shall meet the following requirements:
- (1) The on-site administrator shall have:
 - (A) A Level II North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) Two years of full-time verifiable early childhood work experience.
 - (2) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its equivalent.
 - (3) All lead teachers shall have the North Carolina Early Childhood Credential or its equivalent, or have at least a Level 1 certification on the ECE scale and 75% of the lead teachers shall:
 - ~~(A) Have completed nine semester hours in early childhood education or child development (not including the North Carolina Early Childhood Credential coursework);~~
 - ~~(B) Be enrolled in three additional semester hours in early childhood education; and~~
 - ~~(C) Have one year of full-time verifiable early childhood work experience.~~
 - (A) Have completed nine semester hours in early childhood education or child development (not including the North Carolina Early Childhood Credential coursework), and be enrolled in three additional semester hours in early childhood education, and have one year of full-time verifiable early childhood work experience; or
 - (B) Have at least a Level 4 certification on the ECE scale and have one year of full-time verifiable early childhood work experience.

- (4) 50% of the teachers counted in staff/child ratios shall have:
- (A) ~~The North Carolina Early Childhood Credential or its equivalent; and~~
 - (B) ~~Three semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework);~~
 - (A) The North Carolina Early Childhood Credential or its equivalent or have a least a Level 1 certification on the ECE scale; and three semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework); or
 - (B) At least a Level 2 certification on the ECE scale.
- (5) For centers providing school-age care, the following requirements shall also apply. Completion of these requirements may count toward meeting education and experience requirements in Subparagraphs (d)(1) through (d)(4) of this Rule:
- (A) The administrator shall have at least 600 hours of verifiable experience working with school-aged children in a licensed child care program, or at least 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or shall complete the BSAC ~~training; training or its equivalent;~~
 - (B) The individual designated as the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have completed three additional semester hours of school-age care related coursework and shall be enrolled in three additional semester hours of school-age care related coursework; or shall have at least 600 hours of verifiable experience working with school-age children in a licensed child care program; or at least 750 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp ~~setting; setting or shall have at least a Level 2 certification on the SA scale;~~
 - (C) For centers providing school-age care with 200 or more school-aged children, there shall be two program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall have completed the applicable staff requirements in Rule .2510(b) of this Chapter;
 - (D) All group leaders shall complete the BSAC ~~training; training or its equivalent,~~ and 50% of the individuals designated as group leaders as allowed in Rule .2510 of this Chapter shall each have at least 300 hours of verifiable experience working with school-aged children in a licensed child care program or at least 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or shall have completed at least two semester hours of school-age care related coursework; and
 - (E) Assistant group leaders shall be at least 16 years of age and shall complete the BSAC ~~training; training or its equivalent,~~ or shall have at least 250 hours of verifiable experience working with school-aged children in a licensed child care program or at least 400 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting.
- (f) To achieve six points for education standards, staff in the center shall meet the following requirements:
- (1) The on-site administrator shall:
 - (A) Have a Level II North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) Have completed 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
 - (C) Have three years of full-time verifiable work experience in an early childhood center teaching young children, or three years of administrative experience, or three years of a combination of both.
 - (2) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its equivalent.
 - (3) All lead teachers shall have the North Carolina Early Childhood ~~Credential~~ Credential, or its equivalent, or shall have at least a Level 1 certification on the ECE scale and 50% of the lead teachers shall:
 - (A) Have at least 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 shall have one year of full-time verifiable early childhood work experience, or
 - (B) Have completed 60 semester hours towards a BA/BS degree program with at least 12 semester hours in early childhood education and one year full-time verifiable early childhood work ~~experience; experience; or~~
 - (C) Have at least a Level 6 certification on the ECE scale and one year full-time viable early childhood work experience.
 - (4) 50% of the teachers counted in staff/child ratios shall have:
 - (A) ~~The North Carolina Early Childhood Credential or its equivalent; and~~
 - (B) ~~Three semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework); and~~
 - (C) ~~One year of full-time verifiable early childhood work experience.~~
 - (A) The North Carolina Early Childhood Credential or its equivalent; or at least a Level 1 certification on the ECE scale; and three semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework); and one year of full-time verifiable early childhood work experience; or
 - (B) At least a Level 2 certification on the ECE scale and one year of full-time early childhood work experience.
 - (5) For centers providing school-age care, the following requirements shall also apply. Completion of these requirements may count toward meeting education and experience requirements in Subparagraphs (e)(1) through (e)(4) of this Rule:

- (A) The administrator shall have at least 750 hours of verifiable experience working with school-aged children in a licensed child care program, or at least 1150 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or shall complete the BSAC ~~training;~~ training or its equivalent;
 - (B) The individual designated as the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have at least 750 hours of verifiable experience working with school-aged children in a licensed child care program; or at least 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting and shall have completed at least six additional semester hours of school-age care related coursework; or shall have a BA/BS degree with at least three additional semester hours of school-age care related ~~coursework;~~ coursework or have at least a Level 3 certification on the SA scale;
 - (C) For centers providing school-age care with 200 or more school-aged children, there shall be two program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall have completed the applicable staff requirements in Rule .2510(b) of this Chapter;
 - (D) All group leaders shall have completed the BSAC ~~training;~~ training or its equivalent, and 50% of the individuals designated as group leaders as allowed in Rule .2510 of this Chapter shall each have at least 600 hours of verifiable experience working with school-aged children in a licensed child care program or at least 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or shall have completed at least two semester hours of school-age care related coursework and have completed or be enrolled in at least two additional semester hours of school-age related coursework; and
 - (E) Assistant group leaders shall be at least 17 years of age and shall complete the BSAC ~~training;~~ training or its equivalent, or shall have at least 250 hours of verifiable experience working with school-aged children in a licensed child care program or at least 400 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting.
- (g) To achieve seven points for education standards, staff in the center shall meet the following requirements:
- (1) The on-site administrator shall have:
 - (A) A Level III North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) Four years of full-time verifiable work experience in an early childhood center teaching young children, or four years of administrative experience, or four years of a combination of both.
 - (2) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its equivalent.
 - (3) All lead teachers shall have the North Carolina Early Childhood Credential or its equivalent, or at least a Level 1 certification on the ECE scale and 75% of the lead teachers shall have:
 - ~~(A) At least 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~~
 - ~~(B) Two years of full-time verifiable early childhood work experience.~~
 - (A) At least 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 two years of full-time verifiable early childhood work experience; or
 - (B) At least a Level 6 certification on the ECE scale and two years of full-time verifiable early childhood work experience.
 - (4) 50% of the teachers counted in staff/child ratios shall have:
 - ~~(A) The North Carolina Early Childhood Credential or its equivalent; and~~
 - ~~(B) Six semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework); and~~
 - ~~(C) Two years of full-time verifiable early childhood work experience.~~
 - (A) The North Carolina Early Childhood Credential or its equivalent or have at least a Level 1 certification on the ECE scale, and six semester hours in early childhood education or child development (not including North Carolina Early Childhood Credential coursework), and two years of full-time verifiable early childhood work experience; or
 - (B) At least a Level 3 certification on the ECE scale and two years of full-time viable early childhood work experience.
 - (5) For centers providing school-age care, the following requirements shall also apply. Completion of these requirements may count toward meeting education and experience requirements in Subparagraphs (f)(1) through (f)(4) of this Rule:
 - (A) The administrator shall have at least 900 hours of verifiable experience performing administrative duties in a licensed child care program serving school-aged children, or at least 1350 hours of verifiable experience performing administrative duties in an unlicensed school-age care or camp setting, or shall complete the BSAC ~~Training;~~ Training or its equivalent;
 - (B) The individual designated as the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have at least 900 hours of verifiable experience working with school-aged children in a licensed child care program or at least 1350 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting and shall have completed at least six additional semester hours of school-age care related coursework; or at least 600 hours of verifiable experience working with school-aged children in a licensed child care program or at least 900 hours of verifiable

experience working with school-aged children in an unlicensed school-age care or camp setting and shall have completed at least nine additional semester hours of school-age related coursework; or at least 300 hours of verifiable experience working with school-aged children in a licensed school-age care program or 450 semester hours of working with school-aged children in an unlicensed school-age care or camp setting and a BA/BS degree or higher with at least six additional semester hours of school-age related coursework; or at least 300 hours of verifiable experience working with school-aged children in a licensed school-age care program or 450 hours of working with school-aged children in an unlicensed school-age care or camp setting and at least the Level 4 certification on the SA scale.

- (C) For centers providing school-age care with 200 or more school-aged children, there shall be two program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall have completed the applicable staff requirements in Rule .2510(b) of this Chapter;
- (D) All group leaders shall have completed the BSAC ~~training~~, training or its equivalent, and 75% of the individuals designated as group leaders as allowed in Rule .2510 of this Chapter shall each have at least 600 hours of verifiable experience working with school-aged children in a licensed child care program; or at least 900 hours of verifiable experience working with school-aged children in an unlicensed ~~school-age~~ school-age care or camp setting; or shall have completed at least two semester hours of school-age care related coursework and have completed; or be enrolled in at least two additional semester hours of school-age related coursework; and
- (E) Assistant group leaders shall be at least 18 years of age and shall complete the BSAC ~~training~~, training or its equivalent.

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

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

Authority G.S. 110-85; 110-88(7); 110-90(4); 110-91(8a); 143B-168.3.

10A NCAC 09 .2820 EDUCATION STANDARDS FOR A TWO COMPONENT RATED LICENSE FOR CENTERS THAT PROVIDE CARE ONLY TO SCHOOL-AGED CHILDREN

(a) This Rule applies to evaluating the education standards for a two component rated license for centers that provide care only to school-aged children.

(b) For child care programs that serve school-aged children only, the following staff education requirements apply instead of those in Rule .2819 of this Section.

(c) To achieve two points for education standards, staff in the school-age care program shall meet the following requirements:

- (1) The administrator shall have a Level I North Carolina Early Childhood Administration Credential or its equivalent or shall have enrolled in coursework as required in G.S. 110-91(8) and have at least 1600 hours of verifiable experience performing administrative duties in a licensed school-aged program;
- (2) The individual designated as the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:
 - (A) Completed or be enrolled in three additional semester hours of school-age care related coursework, or
 - (B) At least 200 hours of verifiable experience working with school-aged children in a licensed child care program, or at least 300 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting.
- (3) All group leaders shall have completed the BSAC ~~training~~, training or its equivalent.

(d) To achieve three points for education standards, staff in the school-age care program shall meet the following requirements:

- (1) The administrator shall have:
 - (A) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) At least 300 additional hours of verifiable experience performing administrative duties in a licensed child care program, or at least 450 additional hours of verifiable experience performing administrative duties in an unlicensed school-age care or camp setting.
- (2) The individual designated as the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:
 - (A) Completed three additional semester hours of school-age care related coursework, or
 - (B) At least 300 hours of verifiable experience working with school-aged children in a licensed child care program, or at least 450 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp ~~setting~~, setting, or have at least a Level 1 certification on the SA scale.
- (3) All group leaders shall have completed the BSAC ~~training~~, training or its equivalent, and 25% of the individuals designated as group leaders as allowed in Rule .2510 of this Chapter shall have at least 100 hours of verifiable experience working with school-aged children in a licensed child care program, or shall have at least 150 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or shall have completed or be enrolled in at least two semester hours of school-age care related coursework.

(e) To achieve four points for education standards, staff in the school-age care program shall meet the following requirements:

- (1) The administrator shall have:
 - (A) A Level I North Carolina Early Childhood Administration Credential or its equivalent; and

- (B) At least 450 additional hours of verifiable experience performing administrative duties in a licensed child care program, or at least 600 additional hours of verifiable experience performing administrative duties in an unlicensed school-age care or camp setting.
- (2) The individual designated as the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:
 - (A) Completed three additional semester hours of school-age care related coursework and shall have at least 200 hours of verifiable experience working with school-aged children in a licensed child care program, or have at least a Level 1 certification on the SA scale and shall have at least 200 hours of verifiable experience working with school-aged children in a licensed child care program; or at least 300 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or
 - (B) At least 450 hours of verifiable experience working with school-aged children in a licensed child care program, or at least 600 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting.
- (3) All group leaders shall have completed the BSAC ~~training~~, training or its equivalent, and 25% of the individuals designated as group leaders as allowed in Rule .2510 of this Chapter shall have at least 100 hours of verifiable experience working with school-aged children in a licensed child care program, or have at least 150 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or have completed at least two semester hours of school-age care related coursework.
- (4) Assistant group leaders shall be at least 16 years of age.
- (f) To achieve five points for education standards, standards for a star rating, staff in the school-age care program shall meet the following requirements:
 - (1) The administrator shall have:
 - (A) A Level II North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) At least 600 additional hours of verifiable experience performing administrative duties in a licensed child care program serving school-aged children, or at least 750 additional hours of verifiable experience performing administrative duties in an unlicensed school-age care or camp setting.
 - (2) The individual designated as the program coordinator shall have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have:
 - (A) Completed three additional semester hours of school-age care related coursework and shall be enrolled in three additional semester hours of school-age care related coursework, or
 - (B) At least 600 hours of verifiable experience working with school-aged children in a licensed child care program, or at least 750 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp ~~setting~~, setting, or shall have at least a Level 2 certification on the SA scale;
 - (3) All group leaders shall complete the BSAC ~~training~~, training or its equivalent, and 50% of the individuals designated as group leaders as allowed in Rule .2510 of this Chapter shall each have at least 300 hours of verifiable experience working with school-aged children in a licensed child care program or at least 450 hours of verifiable experience working with school-aged children in an unlicensed ~~school-age~~ school-age care or camp setting, or shall have completed at least two semester hours of school-age care related coursework.
 - (4) Assistant group leaders shall be at least 16 years of age and shall complete the BSAC training or its equivalent, or shall each have at least 250 hours of verifiable experience working with school-aged children in a licensed child care program or at least 400 hours of verifiable experience working with school-aged children in an unlicensed school age school-age care or camp setting.
- (g) To achieve six points for education standards, staff in the school-age care program shall meet the following requirements:
 - (1) The administrator shall have:
 - (A) A Level II North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) At least 750 additional hours of verifiable experience performing administrative duties in a licensed child care program serving school-aged children, or at least 1150 additional hours of verifiable experience performing administrative duties in an unlicensed school-age care or camp setting.
 - (2) The individual designated as the program coordinator shall have:
 - (A) Completed all the applicable requirements in Rule .2510(b) of this Chapter;
 - (B) At least 750 hours of verifiable experience working with school-aged children in a licensed child care program or at least 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting; and
 - (C) Completed at least six additional semester hours of school-age care related coursework or shall have a BA/BS degree with at least three additional semester hours of school-age care related coursework. coursework, or have a least a Level 3 certification on the SA scale;
 - (3) All group leaders shall have completed the BSAC ~~training~~, training or its equivalent, and 50% of the individuals designated as group leaders as allowed in Rule .2510 of this Chapter shall each have at least 600 hours of verifiable experience working with school-aged children in a licensed child care program, or at least 900 hours of verifiable experience working with school-aged children in an unlicensed ~~school-age~~ school-age care or camp setting, or shall have completed at least two semester hours of school-age care related coursework and have completed or be enrolled in at least two additional semester hours of school-age related coursework.
 - (4) Assistant group leaders shall be at least 17 years of age and shall complete the BSAC training or its equivalent, or shall each have at least 250 hours of verifiable experience working with school-aged children in a licensed child care program

or at least 400 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting.

- (h) To achieve seven points for education standards, staff in the school-age care program shall meet the following requirements:
- (1) The administrator shall have:
 - (A) A Level III North Carolina Early Childhood Administration Credential or its equivalent; and
 - (B) At least 900 additional hours of verifiable experience performing administrative duties in a licensed child care program serving school-aged children, or at least 1350 additional hours of verifiable experience performing administrative duties in an unlicensed school-age care or camp setting.
 - (2) The individual designated as the program coordinator shall:
 - (A) Have completed all the applicable requirements in Rule .2510(b) of this Chapter and shall have at least 900 hours of verifiable experience working with school-aged children in a licensed child care program or at least 1350 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, and have completed at least six additional semester hours of school-age care related coursework; or
 - (B) Have least 600 hours of verifiable experience working with school-aged children in a licensed child care program or at least 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, and have completed at least nine additional semester hours of school-age care related coursework; or
 - (C) Have at least 300 hours of verifiable experience working with school-aged children in a licensed school-age care program or 450 semester hours of working with school-aged children in an unlicensed school-age care or camp setting and a BA/BS degree or higher with at least six additional semester hours of school-age related coursework, or at least 300 hours of verifiable experience working with school-aged children in a licensed school-age care program or 450 hours of working with school-aged children in an unlicensed school-age care or camp setting and at least the Level 4 certification on the SA scale.
 - (3) All group leaders shall have completed the BSAC ~~training~~, training or its equivalent, and 75% of the individuals designated as group leaders as allowed in Rule .2510 of this Chapter shall each have at least 600 hours of verifiable experience working with school-aged children in a licensed child care program, or at least 900 hours of verifiable experience working with school-aged children in an unlicensed school-age care or camp setting, or shall have completed at least two semester hours of school-age care related coursework and have completed or be enrolled in at least two additional semester hours of school-age related coursework.
 - (4) Assistant group leaders shall be at least 18 years of age and shall complete the BSAC ~~training~~, training or its equivalent.
- (i) For programs with a licensed capacity of 200 or more school-aged children, there shall be two program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall have completed the applicable staff requirements in Rule .2510(b) of this Chapter.
- (j) As used in this Rule, the definition of the term "experience working with school-aged children" in Rule ~~.2510(i)~~ .2510(h) of this Chapter shall apply.

Authority G.S. 110-85; 110-88(7); 110-90(4); 110-91(8a); 143B-168.3.

10A NCAC 09 .2822 EDUCATION STANDARDS FOR A TWO COMPONENT RATED LICENSE FOR FAMILY CHILD CARE HOMES

- (a) This Rule applies to evaluating the education standards for a two component rated license for family child care homes.
- (b) To achieve two points for education standards, the operator shall have completed:
- (1) The North Carolina Family Child Care Credential or its ~~equivalent~~; equivalent, or at least a Level 1 Early Educator Certification on the Early Care and Education Professional Scale (ECE scale); or
 - (2) Four semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework); or
 - (3) Five years verifiable early childhood work experience and eight additional clock hours of annual in-service training.
- (c) To achieve three points for education standards, the operator shall have completed the North Carolina Family Child Care Credential or its ~~equivalent~~; equivalent or at least a Level 1 certification on the ECE scale.
- (d) To achieve four points for education standards, the operator shall have completed:
- ~~(1) The North Carolina Family Child Care Credential or its equivalent; and~~
 - ~~(2) Six semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework).~~
 - (1) The North Carolina Family Child Care Credential or its equivalent, or at least a Level 1 certification on the ECE scale, and six semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework); or
 - (2) At least a Level 2 certification on the ECE scale.
- (e) To achieve five points for education standards, the operator shall have completed:
- ~~(1) The North Carolina Family Child Care Credential or its equivalent;~~
 - ~~(2) 12 semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework); and~~
 - ~~(3) Two of 12 semester hours in early childhood education are in child care administration or one year verifiable early childhood work experience.~~

- (1) The North Carolina Family Child Care Credential or its equivalent, or at least a Level 1 certification on the ECE scale, and 12 semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework), and two of 12 semester hours in early childhood education are in child care administration or one year verifiable early childhood work experience; or
- (2) At least a Level 4 certification on the ECE scale and one year verifiable early childhood work experience.
- (f) To achieve six points for education standards, the operator shall have completed:
 - (1) ~~The North Carolina Family Child Care Credential or its equivalent;~~
 - (2) ~~18 semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework); and~~
 - (3) ~~Five of the 18 semester hours in early childhood education are in child care administration or two years verifiable early childhood work experience.~~
 - (1) The North Carolina Family Child Care Credential or its equivalent, or at least a Level 1 certification on the ECE scale; and 18 semester credit hours in early childhood education or child development (not including the North Carolina Family Child Care Credential coursework), and five of the 18 semester hours in early childhood education are in child care administration or two years verifiable early childhood work equivalent; or
 - (2) At least a Level 6 certification on the ECE scale and one year work experience.
- (g) To achieve seven points for education standards, the operator shall have completed:
 - (1) At least an A.A.S. degree in any major with at least 12 semester credit hours in early childhood education/child development coursework and two years of full-time verifiable early childhood work experience; or
 - (2) At least an A.A.S. in early childhood education/child development and 18 months of full-time verifiable early childhood work experience. ~~experience; or~~
 - (3) At least a Level 6 certification on the ECE scale and two years experience.

Authority G.S. 110-85; 110-88(7); 110-90(4); 110-91(8a); 143B-168.3.