



Child Care Rule Changes and Updates

Child Care Center Director Meeting

presented by

Regulatory Services Section

Division of Child Development and Early Education

Today's Agenda

- **DCDEE Updates**
- ***Child Care Rules:***
 - **Criminal Record Checks**
 - **Nutrition**
 - **Curriculum**
 - **School-age Care**
 - **Developmental Day Services**
- **Proposed Rules and Additional Rulemaking Activities**

We've Moved!

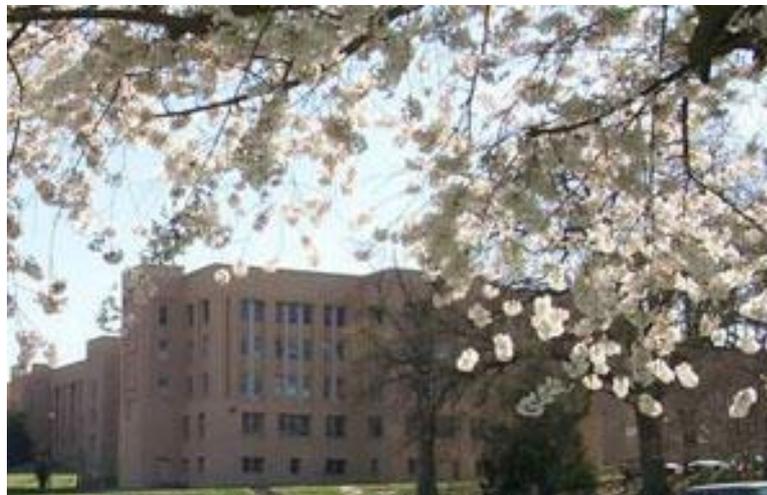
McBryde Complex on the Dorothea Dix Campus
820 S. Boylan Ave.
Raleigh, NC 27603

Mailing Address: (the same)

2201 Mail Service Center
Raleigh, NC 27699-2201

Telephone Number:

800.859.0829 (In-State only)
919.527.6500 (main number)





New Telephone Numbers

Publications

- Family Child Care Home (FCCH) Packet
- Child Care Center and FCCH Handbooks
- Child Care Law and Rulebooks for Centers and Homes
- Infant-Toddler Foundations

Available on the DCDEE Website

www.ncchildcare.nc.gov

DCDEE Updates

You've
Got 
Mail

DCDEE Updates

North Carolina Foundations for Early Learning and Development

- Available online: www.ncchildcare.nc.gov
- New .5 CEU training on the 2013 *Foundations* is expected to be offered later in the year
- Family resource materials will soon be available

Criminal Record Check (CRC) **Pre-service Requirements**

House Bill 737
General Statute 110-90.2

CRC Pre-service Requirements

General Statute 110-90.2

This legislation made criminal record checks a **pre-service requirement** for any person who:

- Is employed by or seeks to be employed by a child care facility, whether in temporary or permanent capacity, including substitute providers; or
 - Owns or operates or seeks to own or operate a child care center, center in a residence, or family child care home, or nonlicensed child care home; or
 - Is a member of the household age 16 and older in a family child care home, nonlicensed child care home, or center in a residence, including family members and nonfamily members who use the home on a permanent or temporary basis as their place of residence.
-

CRC Pre-service Requirements

The law applies to any person...

'employed or seeks to be employed by a child care facility'

- ✓ temporary or permanent capacity
- ✓ Including: cooks
 - van drivers
 - maintenance staff
 - substitute staff

CRC Pre-service Requirements

What about uncompensated providers or volunteers?

- Uncompensated provider (volunteer) means a person who:
 - ✓ works in a child care facility
 - ✓ is counted in the staff/child ratio or has unsupervised contact with children
 - ✓ who is not monetarily compensated by the facility
- The uncompensated provider (volunteer) is required to submit forms for a statewide name check at no cost.

CRC Pre-service Requirements

The law applies to any person...

'owns, operates, or seeks to own or operate' a

- ✓ child care center
- ✓ center in a residence
- ✓ family child care home
- ✓ nonlicensed child care home

Includes potential religious sponsored facilities

CRC Pre-service Requirements

The law applies to any person...

who is a member of the household age 16 and older

- ✓ family child care home
- ✓ nonlicensed child care home
- ✓ center in a residence

includes family members and nonfamily members who use the home on a permanent or temporary basis as their place of residence.

CRC Pre-service Requirements

Steps To A Successful Criminal Background Check

for

new applicants

and

3 year re-qualification applicants

CRC Pre-service Requirements

Step 1:
Receipt for Federal Criminal Record Check - Individuals must go to the [Online Payment for CRC website](#) and pay \$25.00 by credit card for the federal criminal record check. A copy of the payment confirmation must be printed and included in the criminal record check packet mailed to the DCDEE office.

[The Division of Child Development & Early Education](#)

This process covers the Payment portion only for the Criminal Record Check. For details regarding the other items needed to complete the criminal record check for you, please visit www.ncchildcare.net prior to registration.

If you are a new or returning customer wanting to enter a NEW REGISTRATION please do the following:

1. Enter your email address
2. Verify your email address.
3. Click "Continue"
4. Click "Start a New Registration"

DHHS Criminal Background Check

DHHS Criminal Record Check Unit
2201 Mail Service Center
Raleigh, North Carolina 27699
United States
1-800-859-0829

[✉ Email Us](#)

[View Your Existing Registration](#)

Start Your Registration

* Email Address:

* Verify Email Address:

[Continue](#)

CRC Pre-service Requirements

Step 2: Fingerprint Card

- Go to local law enforcement office and get fingerprints completed.
- Fingerprints can be completed by Live Scan or by manual printing.
- Complete the Live Scan application and release form and submit them to law enforcement at the time the fingerprints are scanned.
- Include forms in the criminal record check packet mailed to the DCDEE office.
- Prints completed electronically through Live Scan are sent directly to the SBI office for processing.
- Prints manually rolled must be completed on a FD258 fingerprint card.

CRC Pre-service Requirements

Step 3: Identifying Information Form

- Complete an Identifying Information Form (DHHS 004) - new purple bubble form
- Form can be obtained from the Division or local Child Care Resource and Referral Agency

Contact the Division at 1-800-859-0829

CRC Pre-service Requirements

Must submit together all three items for DCDEE to process a criminal record check:

1. Receipt of payment for the federal check. Out of state resident must also include the local report from their county of residence,
 2. Fingerprints-either manual FD258 fingerprint card or certified Live Scan release form, and
 3. Completed and accurate **purple** bubble sheet.
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CRC Pre-service Requirements

Mandatory Notice (Form DCD-0049)

- A **Mandatory Notice** statement must be completed by each applicant.
- The form should be retained by the applicant along with his/her valid Criminal Record Check Qualification Letter.

CRC Pre-service Requirements

Rule Changes to Section .2700 – Criminal Record Checks Effective March 1, 2014

10A NCAC 09 .2701 – Scope

An individual may work or be present in any child care facility during the time the individual holds a valid qualification letter after the Division's determination that the individual is a qualified child care provider.

10A NCAC 09 .2702 – Definitions are provided for:

- Qualified child care provider
- Disqualified child care provider
- Qualification letter or qualifying letter
- Conviction
- Pending criminal charge

CRC Pre-service Requirements

Rule Changes to Section .2700 – Criminal Record Checks
Effective March 1, 2014

10A NCAC 09 .2703 – Criminal History Record Check Requirements for Child Care Providers

- Consolidates the previous rules located in sections .2701 & .2702 and now outlines the criminal record check requirements and the process the DCDEE will follow

10A NCAC 09 .2704 – Criminal History Record Check Requirements for Nonlicensed Child Care Providers

- This rule is the previous .2704 with elimination of requirements that no longer apply based on the law change
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CRC Pre-service Requirements

Rule Changes to Section .0300 – Application for a License for a Child Care Center Effective March 1, 2014

10A NCAC 09 .0302- Application for a License for a Child Care Center

- Eliminates purchase of local criminal record check.
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CRC Pre-service Requirements

Visit the DCDEE website
at

www.ncchildcare.nc.gov

**to obtain instructions and resources for
submitting a criminal record check packet**



Nutrition Requirements

Nutrition Requirements

General Statute 110-91(2)(h.1) - Parental Exceptions

- Parents or guardians of a child enrolled in a child care facility may:
 1. provide food and beverages to their child that may not meet the nutrition standards adopted by the Commission, and
 2. opt out of any supplemental food program provided by the child care facility. The child care facility shall not provide food or beverages to a child whose parent or guardian has opted out of any supplemental food program provided by the child care facility and whose parent or guardian is providing food and beverages for the child.

Nutrition Requirements

Child Care Rule 10A NCAC 09 .0901(c)

When children bring their own food for meals or snacks to the center, if the food does not meet the nutritional requirements outlined in the Meal Pattern for Children in Child Care, the center must provide additional food necessary to meet those requirements unless the child's parent or guardian opts out of the supplemental food provided by the center as set forth in G.S.110-91(2)h.1. A statement acknowledging the parental decision to opt out of the supplemental food provided by the center signed by the child's parent or guardian shall be kept on file at the center.

Nutrition Requirements

What Does Opting Out Mean?

Opting out means that the center will not provide any food or drink so long as the child's parent or guardian provides all meals, snacks, and drinks scheduled to be served at the center's designated times.

Child Care Rule 10A NCAC 09 .0901(c)

Nutrition Requirements

But if...

The child's parent or guardian has opted out but does not provide all food and drink for the child, the center shall provide supplemental food and drink as if the child's parent or guardian had not opted out of the supplemental food program.

Nutrition Requirements

In addition...

A statement acknowledging the parental decision to opt out of the supplemental food provided by the center signed by the child's parent or guardian shall be on file at the center.

Child Care Rule 10A NCAC 09 .0901(c)

A sample form is available on the Division's website at www.ncchildcare.nc.gov under Provider Documents.

Nutrition Requirements

10A NCAC 09 .0901(e)(1-6)

The child care provider will provide only the following beverages:

- **breast milk;**
- **formula;**
- **water;**
- **unflavored whole milk, for children ages 12-24 months;**
- **unflavored skim or low-fat milk for children two years old and older; or**
- **100 percent fruit juice, limited to 6 ounces per day.**

Nutrition Requirements

10A NCAC 09 .0901(g)

The food required by special diets for medical, religious or cultural reasons, may be provided by the center or may be brought to the center by the parents.

- If the diet is prescribed by a health care professional, a statement signed by the health care professional shall be on file at the center and written instructions shall be provided by the child's parent, health care professional, or licensed dietitian/nutritionist.
- If the diet is not prescribed by a health care professional, written instructions shall be provided by the child's parent and be on file at the center.

Nutrition Requirements

10A NCAC 09 .0901(h)

Food that does not meet the nutritional requirements specified in the Meal Patterns for Children in Child Care, such as cookies, chips, donuts, etc., shall be available only for special occasions such as holidays, birthdays, and other celebrations.

Nutrition Requirements

10A NCAC 09 .0901(i)

Staff shall role model appropriate eating behaviors by consuming only food or beverages that meet the nutritional requirements specified in the Meal Pattern for Children in Child Care Programs in the presence of children in care.

Nutrition Requirements

10A NCAC 09 .0901(j)

Parents shall be allowed to provide breast milk for their children. Accommodations for breastfeeding mothers shall be 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.

Nutrition Requirements

10A NCAC 09 .0902(c)

Infants shall not be served juice in a bottle without a prescription or written statement on file from a health care professional or licensed dietitian/nutritionist.

Curriculum Requirements

Curriculum Requirements

Curriculum

10A NCAC 09.2802(d)

Four and five star facilities must use an approved curriculum in four-year-old classrooms.

10A NCAC 09.2829(2)(a)

One to three star facilities may use an approved curriculum to earn a quality point.

Curriculum Requirements

DCDEE Website

- **Approved Curricula and Criteria for Approval**
- **Approved Formative Assessment Tools and Criteria for Approval**

SACERS-U Information

- Updated edition, spiral-bound
- Visit the Environment Rating Scales Institute website for details www.ersi.info
- NCRLAP will begin using the updated edition July 1, 2014

See NCRLAP's website for information and training resources www.ncrlap.org.



Child Care Rules

- **Exceptions**
- **Implementation Guides**

Creative Curriculum for Preschool, 5th Edition

Two options:

1) 5 Volume Set \$189.95

OR

2) System \$2,149.00

Monitoring

- **Verify you are using an approved curriculum when applicable.**
- **Regulatory and the EESLPD Office are considering monitoring options.**



Curriculum Requirements

Training Opportunity

Choosing and Using An Appropriate Curriculum and Instructional Assessment Tool

Check your Regional Child Care Resource and Referral Agency's Professional Development and Training Calendar

Rule Changes

School Age Care

10A NCAC 09 .2506 (d) – change will allow for school-age children to be heard “or” seen instead of heard “and” seen

This amendment aligns with the rules regarding adequate supervision for preschool children.

Effective March 1, 2014

Developmental Day Services

10A NCAC 09 .2903(b) & (c) – amended so that children without an Individualized Education Plan would have to have turned three before the start of the school year for the requirement to be served by a B-K teacher to apply.

Effective March 1, 2014

Upcoming Rule Changes

NC Child Care Commission Rulemaking Updates

- Emergency Preparedness and Response Rules
 - Director or designated staff must take an EPR course
 - Program must develop an EPR plan
 - Staff must be annually trained on EPR plans
 - 4 additional emergency drills (shelter in place or lockdown)

- April 1 Published in NC Public Register
- May 12 Public Hearing
- June 2 Comment Period Ends

Additional Emergency Preparedness and Response Activities

- DCDEE and the NC Child Care Health and Safety Resource Center is partnering with the NC Emergency Management
- Purpose:
 - Develop a web-based emergency preparedness and response template
 - Child care operators will be able to create and update their EPR plans

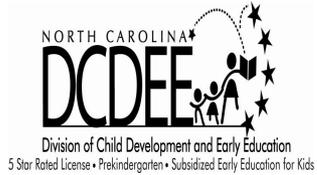
A workgroup will be convening soon to start identifying items to include in the template.

Child Care Rules Update

NC Child Care Commission Rulemaking Updates

Regulatory Reform Act

- Session Law 2013-413
 - Review Rules at least once every 10 years
 - 172 rules will be reviewed
- Phase One
 - Necessary with substantive public interest
 - Necessary without substantive interest
 - Unnecessary
- Public Comment



Division of Child Development and Early Education

Questions