

Summary of Rule Changes

Over the last year the Child Care Commission has been working on proposed rule changes in the areas of children's health and nutrition, enriching outdoor activities and quality school-age care, based on research reviewed on outdoor learning environments, quality activities for school-age care, and preventing obesity in young children. In addition, during the 2009 Legislative Session, the NC General Assembly passed House Bill 1046, which transferred the rule-making authority from the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services to the NC Child Care Commission to adopt rules for certified Developmental Day Centers.

The Child Care Commission met on April 29th, and voted to adopt proposed rules in these areas. Rules are summarized below.

- Changes to definitions include:
 - Defining track-out programs, health care professionals, first aid kits, and if weather conditions permit. (Rule .0102)
 - In addition, changes were made to the definition of Basic School-age Care training to allow for equivalent training if approved by the Division. (Rule .0102)
- A new rule was adopted for child care centers and family child care homes that address staff/child interactions. Staff and caregivers will be required to relate to children in positive ways by helping children feel welcome and comfortable, treating them with respect, listening to what they say, responding to children with acceptance and appreciation and participating in many activities with the children. (Rules .0501 and .1703)
- Several changes were adopted in the areas of activities, activity schedules and plans.
 - A minimum amount of outdoor time throughout the day is specified, if weather conditions permit. For example, a program must provide a minimum total of one hour of outdoor time daily, or when children are in care for four hours or less per day the center must provide a minimum of 30 minutes of outdoor time. For infants and toddlers, there must be a minimum of 30 minutes of outdoor time throughout the day. This rule applies to centers and homes. (Rules .0508, .0510 and .1708)
 - Of the four different activities (art and other creative play, children's books, blocks and block building, manipulatives, and family living and dramatic play) that must be offered daily, at least one must be provided outdoors, if weather conditions permit. (Rule .0508)
 - The activity plan must also include a daily gross motor activity which may occur indoor or outdoors. (Applies to centers and homes.) (Rules .0508, .0510 and .1718)
 - When screen time is provided it must be offered only as a free-choice activity, used to meet a developmental goal, and limited to no more than a total of 2 ½ hours per week per child. Screen time includes, but is not limited to, television, videos, video games, and computer usage. Screen time usage periods may be extended for specific special events, projects, or occasions such as holiday or birthday celebrations. Screen time would be prohibited to children less than two years of age. (This rule applies to centers and family child care homes.) (Rules .0510, .0511, .1718 and .2508)
 - Materials and opportunities for music and rhythm, science and nature, and sand and water must be offered to each group of children on a weekly basis (instead of monthly). (Rule .0510)

- For program records, emergency medical care information must be updated as changes occur and at least annually for staff and children. In addition to maintaining daily attendance records, centers will be required to maintain daily records of arrival and departure times at the center for each child. (Rules .0302, .0701, .0702, .0802)
- In the nutrition section, a rule was adopted that requires child care programs to provide seating and an electrical outlet, which may be used by mothers while breastfeeding or expressing milk. (Rules .0901 and .1702)
- Rule changes were made to the administrative penalties related to when a facility has a substantiation of any abuse or neglect complaint or the issuance of any administrative action. The changes now specify the operator must notify the parents within 30 days. Operators must document the date the written notice was given to all parents and have parents sign an acknowledgement that they have received the notice. (Rule .2201)
- Changes related to school-age children include:
 - Opportunities must be provided for school-age children to participate in the planning and implementation of activities.
 - Activity areas were re-organized into broader categories to reflect activity practices that school-age children are currently participating in. (Rule .2508)
 - Career development activities;
 - Community awareness activities;
 - Creative arts activities;
 - Cultural activities;
 - Games or manipulatives;
 - Hands-on academic enrichment activities including but not limited to language, math, science, social studies, or foreign language activities;
 - Homework with assistance available as needed from center personnel;
 - Reading activities;
 - Sand or water play;
 - Social skills, life skills or problem-solving activities;
 - Structured or unstructured physical activities; or
 - Technology skill-building activities.
- Voluntary Rated Licenses rules related to a three-component star rated license was repealed and will be removed from the rules since they are no longer valid. (Section .2800)
- The Commission adopted rules for certified Developmental Day Centers related to staff qualifications, program requirements, and family services. Over the next year, the Division will be working with certified Developmental Day Centers to help these programs transition to fully meet these requirements. (Programs will be expected to be compliance as of the 2011-12 school year.)

Next steps:

The adopted rules will be reviewed by the Rules Review Committee in June and at the earliest will be effective July 1st. Once the rules are final, DCD will post the final rule text on the Division's web site at www.ncchildcare.net under What's New.