

1 **10A NCAC 09 .2802 has been amended as published in 26:20 NCR 1536 as follows:**

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3 **10A NCAC 09 .2802 APPLICATION FOR A VOLUNTARY RATED LICENSE**

4 (a) After a licensed child care center or home has been in operation for a minimum of six consecutive months, the
5 procedures in this Rule apply to request an initial two- through five-star rated license or to request that a rating be
6 changed to a two- through five-star rated license.

7 (b) The operator shall submit a completed application to the Division for a voluntary rated license on the form
8 provided by the Division.

9 (c) An operator may apply for a star rating based on the total number of points achieved for each component of the
10 voluntary rated license. In order to achieve a two- through five-star rating, for a two component license the
11 minimum score achieved must be a least four points as follows:

TOTAL NUMBER OF POINTS	RATING
4 through 6	Two Stars
7 through 9	Three Stars
10 through 12	Four Stars
13 through 15	Five Stars

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19 (d) Facilities with a four or five-star rated license and who are licensed to serve four-year-old children must
20 implement a curriculum as defined in 10A NCAC 09 .0102 with their four year olds. This requirement must be met
21 in any licensed child care facility.

22 ~~(d)(e)~~ A Division representative shall assess the facility requesting a voluntary rated license to determine if all
23 applicable requirements have been met to achieve the score for the requested star rating. The assessment may
24 include a review of Division records and site visits.

25 ~~(e)(f)~~ The Division shall provide for Infant/Toddler Environment Rating Scale Revised Edition, Early Childhood
26 Environment Rating Scale - Revised Edition, School-Age Care Environment Rating Scale, or Family Child Care
27 Environment Rating Scale - Revised Edition assessments to be completed, as appropriate for the program, free of
28 charge to operators requesting an initial three or more points for program standards.

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

- 30 (1) If the assessment indicates all the applicable requirements to achieve the score for the requested
31 rating have been met, the Division shall issue the rating.
- 32 (2) If the assessment indicates all the applicable requirements to achieve the score for the requested
33 rating are not met, the Division shall notify the operator of the requirements that were not met and
34 the requested voluntary rating shall not be issued. The operator may:
- 35 (A) Accept the rating for which the Division has found the operator to be eligible;
- 36 (B) Withdraw the request and reapply when the identified requirements to achieve the score
37 for the requested rating have been met; or

1 (C) Appeal the denial of the requested rating as provided in G.S. 110-94.

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3 *History Note:* Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b);

4 *Eff. April 1, 1999;*

5 *Amended Eff. September 1, 2012; July 1, 2010; May 1, 2006.*