



North Carolina Department of Health and Human Services
Division of Child Development and Early Education

5 Star Rated License • Prekindergarten • Subsidized Early Education for Kids

Beverly Eaves Perdue, Governor

Lanier M. Cansler, Secretary

Deborah J. Cassidy, Director

August 31, 2011

MEMORANDUM

TO: Interested Parties

FROM: Dedra Alston
Rule-Making Coordinator

RE: Proposed Changes to 10A NCAC 09 .0604, .1719, .1725 and .2904

The NC Child Care Commission proposes rule-making in direct response to comments that were received from the public and the Child Fatality Task Force requesting rule-making to improve the safety and welfare of children while in child care. Amendments to Rules .0604 and .1719(6) are proposed as the result of incidents in which children were burned by the contents within a crock pot when the electrical cord was pulled and the pot fell down. The amended rule states that small appliances with heating elements and/or cords shall not be accessible to preschool children.

The adoption of Rule .1725 is proposed as a result of concerns related to injuries from small appliances as well as an incident in which a child was attacked by a dog while in care at a family child care home. This rule would require the provider to inform parents if they do or do not carry accidental or liability insurance. The parent can then decide whether or not to enroll their child in the facility. Amendments to Rules .1719(10) and (11) also would notify parents if the facility maintains any animals on the premises and would require the child care provider to secure all animals (indoors or outdoors) while children are in care.

Rule .2904(c) regards the enrollment of children who are typically developing in developmental day preschool classrooms. The goal of the rule is to have inclusive classrooms so that developmental day classrooms include typically developing children along with children that have special needs. However, during regular child care program visits, DCDEE found that the rule causes difficulties in classrooms due to frequent enrollment changes, which are common and lead to programs being deemed as out of compliance with the rule. In order to comply with the rule as it is now, it would require the dismissal of 50% of the special needs children served in order to accommodate typical children. Schools continually turn away special needs children whose parents want placement for their children. Without an amendment to the rule, the program and services currently provided would be lost to the community and the children of Wake County. Inclusive classrooms that include typically developing children along with children with special needs is also considered as best practice according to current early childhood research. Amendments to Rule .2904(c), will eliminate the enrollment capacity of 50% or more for typically developing children in a developmental day preschool classroom.

A public hearing will be held on **September 27**, beginning at **1:30 p.m.** at the Division Child Development and Early Education, 319 Chapanoke Rd., Suite 120, Room 300, Raleigh, NC. A copy of the proposed rules as published in the September 1st, 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 your concerns or support for these changes as the rules are finalized. Written comments may be submitted through **October 31, 2011**, to Dedra Alston, Rule-making Coordinator, NC Division of Child Development and Early Education, 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 and Early Education's website at www.ncchildcare.net as a source of information about child care and for any updates.

/dla
Attachment