

Impact Analysis – QRIS Modernization
“Pathways to the Stars: Where Quality and Choice Meet”
Session Law 2023-40 and Session Law 2024-34

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Agency: DHHS/Division of Child Development & Early Education

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Rule Citations:

10A NCAC 09 .3201	SCOPE*
10A NCAC 09 .3202	APPLICATION FOR A TWO THROUGH FIVE STAR RATED LICENSE*
10A NCAC 09 .3203	PATHWAY 1: PROGRAM ASSESSMENT FOR CHILD CARE CENTERS*
10A NCAC 09 .3204	PATHWAY 1: PROGRAM ASSESSMENT FOR FAMILY CHILD CARE HOMES*
10A NCAC 09 .3205	PATHWAY 2: CLASSROOM AND INSTRUCTIONAL QUALITY FOR CHILD CARE CENTERS*
10A NCAC 09 .3206	PATHWAY 2: CLASSROOM AND INSTRUCTIONAL QUALITY FOR FAMILY CHILD CARE HOMES*
10A NCAC 09 .3207	PATHWAY 3: ACCREDITATION AND HEAD START*
10A NCAC 09 .3208	ENHANCED RATIO FOR CHILD CARE CENTERS*
10A NCAC 09 .3209	REDUCED, ENHANCED RATIO FOR CHILD CARE CENTERS*
10A NCAC 09 .3210	ENHANCED SPACE FOR CHILD CARE CENTERS*
10A NCAC 09 .3211	ENHANCED EDUCATION STANDARDS FOR CHILD CARE CENTER ON-SITE ADMINISTRATORS*
10A NCAC 09 .3212	ENHANCED EDUCATION STANDARDS FOR CHILD CARE CENTER LEAD TEACHERS*
10A NCAC 09 .3213	ENHANCED EDUCATION STANDARDS FOR CHILD CARE CENTER TEACHERS*
10A NCAC 09 .3214	ENHANCED EDUCATION STANDARDS FOR PROGRAM COORDINATORS IN CHILD CARE CENTERS THAT PROVIDE CARE TO SCHOOL AGE CHILDREN*
10A NCAC 09 .3215	ENHANCED EDUCATION STANDARDS FOR GROUP LEADERS IN CHILD CARE CENTERS*
10A NCAC 09 .3216	ENHANCED EDUCATION STANDARDS FOR ADMINISTRATORS OF CHILD CARE

	CENTERS THAT ONLY PROVIDE CARE TO SCHOOL AGE CHILDREN*
10A NCAC 09 .3217	ENHANCED EDUCATION STANDARDS FOR FAMILY CHILD CARE HOME OPERATORS*
10A NCAC 09 .3218	COMPETENCY EVALUATION STANDARDS*
10A NCAC 09 .3219	FAMILY AND COMMUNITY ENGAGEMENT STANDARDS FOR CHILD CARE CENTERS*
10A NCAC 09 .3220	FAMILY AND COMMUNITY ENGAGEMENT STANDARDS FOR FAMILY CHILD CARE HOMES*
10A NCAC 09 .3221	CONTINUOUS QUALITY IMPROVEMENT (CQI) STANDARDS*
10A NCAC 09 .3222	MAINTAINING THE STAR RATING*
10A NCAC 09 .3223	HOW AN OPERATOR MAY REQUEST OR APPEAL A CHANGE IN RATING*
10A NCAC 09 .3224	QUALITY POINTS OF DISTINCTION (QPD)*
10A NCAC 09 .3225	ACCREDITING ORGANIZATIONS AND STAR RATING EQUIVALENCY*
10A NCAC 09 .3226	APPROVAL OF FORMATIVE ASSESSMENTS*
10A NCAC 09 .0102	DEFINITIONS
10A NCAC 09 .2902	LICENSE (Developmental Day Services)
10A NCAC 09 .2905	FAMILY SERVICES (Developmental Day Services)
10A NCAC 09 .3002	FACILITY REQUIREMENTS (NC Pre-Kindergarten)
10A NCAC 09 .3009	STAFF-TO-CHILD RATIO AND CLASS SIZE (NC Pre-Kindergarten)
10A NCAC 09 .3010	FAMILY ENGAGEMENT (NC Pre-Kindergarten)

**Section titles and rule numbers are subject to change*

Statutory Authority: G.S. 110-85; 110-85(3); 110-85(5); 110-88; 110-88(7); 110-88(10); 110-88(14); 110-90.2; 110-90(4); 143B-168.3; 42 USCS 9858; 42 USCS 9858c; 42 USCS 9858e; 45 CFR 98.1; 45 CFR 98.16; 45 CFR 98.41; 45 CFR 98.45; 45 CFR 98.68; S.L. 2011-125 s.10.7(a); S.L. 2011-145, s.10.7(b) and (d); S.L. 2021-180; S.L. 2022-71; S.L. 2023-40; S.L. 2023-134; S.L. 2024-34;

Impact Summary:

State Gov. Impact:	Yes
Local Gov. Impact:	No
Substantial Economic Impact:	Possible, but uncertain
Private Sector Impact:	Yes

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Executive Summary

This set of rules is being submitted by the NC Child Care Commission (“the Commission”) in response to Session Laws 2023-40 and 2024-34 regarding the modernization of the state’s quality rating improvement system (QRIS). QRIS is based on a star-rating licensing system that applies to child care centers and family child care homes that meet all minimum child care requirements which include but are not limited to health and safety standards and those who voluntarily choose to meet higher standards. The purpose of the star-rating system is twofold:

- 1) to promote high-quality child care by providing pathways for child care facilities to meet enhanced standards; and
- 2) to give parents a simple tool to help make informed decisions about the quality of a facility based on standardized educational and programmatic factors.

In February 2023, the Commission initiated a project to modernize North Carolina’s QRIS, commonly known as the Star Rated License, in anticipation of impending legislation. The Commission formed a QRIS Sub-Committee that was tasked with developing recommendations for QRIS Modernization. One of the products of the QRIS Sub-Committee was a [legislative report](#), which was submitted to the Joint Legislative Oversight Committee on Health and Human Services on March 28, 2024. The report outlined a recommended plan for QRIS Modernization which reflected feedback from the community regarding the needs of licensed child care operators and staff throughout North Carolina. The Commission has focused on providing additional pathways for early childhood professionals to demonstrate quality and for child care facilities to earn Star Rated Licenses.

In July 2024, Session Law 2024-34 became effective and outlines the QRIS framework, pathways and recommendations of the legislative report. However, as stated in the legislative report, “The Child Care Commission recognizes that modernizing the state’s QRIS system provides one small step towards improving the early care and education system in our state. It does not, and cannot, address the ongoing, critical issues of funding for child care access, affordability, compensation, and quality in the state of North Carolina.”

The proposed rules incorporate all the elements of QRIS required by legislation as well as additional changes necessary for administrative clarity. The rules preserve the integrity of the state’s existing QRIS while providing more options for child care facilities to demonstrate and meet quality standards. These options include adjustments to current requirements related to staff/child ratio and enrollment that will result in more availability for families, options for early childhood education professionals to meet education standards at all star levels, and a choice of three licensure pathways to earn a Star Rated License. This will enable operators to demonstrate quality care practices by meeting standards that best fit the needs of the families they serve and the early childhood education professionals they employ.

Estimated quantified costs to state government associated with implementation of the rules includes approximately \$6,800 one-time opportunity costs to DHHS for initial rollout of the new QRIS pathways and allocating an estimated \$400,000 from the existing Child Care and Development Fund ([CCDF](#)) to pay five evaluators to implement competency evaluations through contracted services with a partner agency. The number of evaluators (and, accordingly, the total amount of funding) that will be needed is uncertain and will depend on uptake of the new competency evaluation option by child care centers and FCCHs.

Child care centers and FCCHs will incur annual opportunity (time) costs associated with the new requirement for CQI plans. DHHS estimates the amount of time needed for FCCHs and child care centers to complete this task is about one hour per year per employee (average hourly wage = \$14.20). Facilities could incur other costs depending on what, if any, options they pursue. For example, there could be costs

associated with preparing a portfolio for the competency evaluation option, planning family and community engagement activities, pursuing accreditation or CEUs, and using a new curriculum or formative assessment. Presumably, they would only pursue these options if they believe the benefits would outweigh the costs.

Most of the impacts to child care center and FCCH owners from the proposed rules (and session law) are in the form of potential avoided costs and/or potential increased revenue. For example, changes to staff/child ratios could result in the creation of additional child care slots. This would then result in increased income to a facility (market rate is currently \$462 - \$1,276 depending on location, age of child). Enhanced space requirements could allow facilities to operate in smaller spaces, potentially saving on building/leasing costs. More facilities may choose to pursue higher star ratings which, in turn, could help attract clientele and enhance profitability. Finally, the option to pursue competency evaluations in place of higher education to achieve higher star ratings could allow some early childhood education professionals to avoid direct costs and opportunity costs associated with higher education and potentially help to attract more workers. Based on stakeholder feedback received during the development of these rules, the Commission expects that all of these benefits are likely to occur. The timing and magnitude of these benefits are more uncertain, however, as they depend entirely on the voluntary actions of licensed child care centers and FCCHs.

The Commission expects that the new rules will result in significant unquantifiable benefits associated with lower barriers to entry, encouragement of proliferation of child care facilities, and a way to maintain the high quality of care for which North Carolina is known. Ultimately, these changes to QRIS should further improve developmental outcomes for more children which will benefit them in both the short-term and long-term as well as provide families with more options for child care, better enabling them to maintain employment. The magnitude and likelihood of these potential benefits is uncertain and will depend on the uptake of the various options by existing and new child care centers and FCCHs. Even so, the benefits to children and their families from having a high quality and flexible QRIS are likely to be significant. It should be noted that the bulk of impacts associated with the updates to QRIS are attributable to session law.

Need for Child Care in NC

Child care facilities in NC are eligible to be licensed to care for children from Birth through 12 years of age. The [US Census Bureau noted that, as of 2023](#), there were over 1.48 million children under the age of 12 in NC. While not all families choose to enroll in services outside of their home, the early care and education industry is critical for a significant number of families to gain and sustain employment, a factor that affects a family's personal life as well as ensures the success of all types of industry workforces.

According to the [NC Statewide Birth to Five Needs Assessment Update Addendum regarding Family Child Care Home and Child Care Desert Needs Assessment and Strategic Plan \(March 2024\)](#), "... 44% of families live in a child care desert. Rural and immigrant families are more likely to live in a child care desert, and families with infant and toddlers and children with disabilities also have greater difficulty accessing care for their children." This addendum focused on FCCHs and referenced the need for revision to the Quality Rating Improvement System (QRIS) as one way to better support those child care facilities.

QRIS in North Carolina

North Carolina has been a national leader in implementing QRIS, beginning in 1999. There has been one revision to the QRIS since initial implementation with a continued emphasis on many of the same

standards. QRIS Modernization is focused on meeting the current needs of families and the early care and education workforce, using information from community outreach and building on 24 years of quality child care practices. Offering innovative choices in QRIS through multiple licensure pathways and education standard options will support families, early childhood education professionals and the early care and learning system.

Figures 1 through 4 show trends in provider participation in QRIS and child enrollment in select years. Note that data prior to 2004 was unavailable, and data after 2018 was excluded due to pandemic related exemptions. In general, the number of child care centers participating in QRIS and the number of children enrolled in participating child care centers has been relatively stable over time (pre-pandemic). There has been an increase in the proportion of child care centers with higher star ratings over time. Conversely, there has been a decline in the number of FCCHs participating in QRIS as well as the number of children enrolled in participating FCCHs over time. Similar to child care centers, a higher proportion of FCCHs were operating under higher star ratings over time. There continues to be ongoing, critical issues of funding for child care access, affordability, and compensation as described in a recent documentary about the child care crisis in North Carolina titled “[Take Care](#)”.

Figure 1. Participation in QRIS by Star Rating for Child Care Centers in Select Years

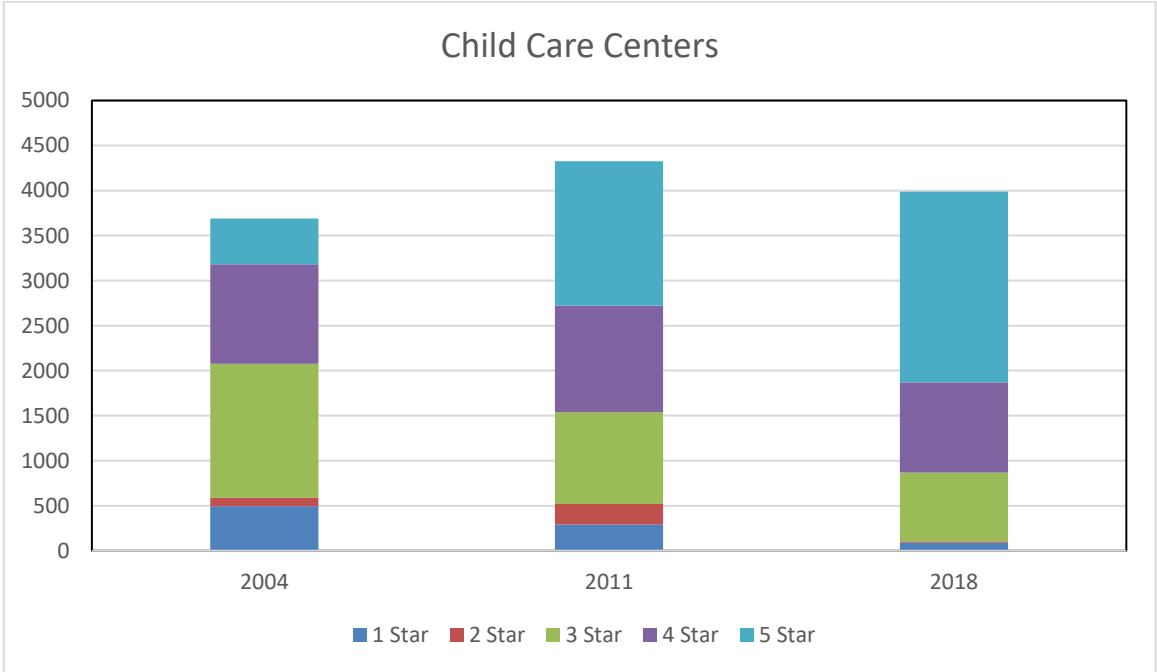


Figure 2. Participation in QRIS by Star Rating for FCCHs in Select Years

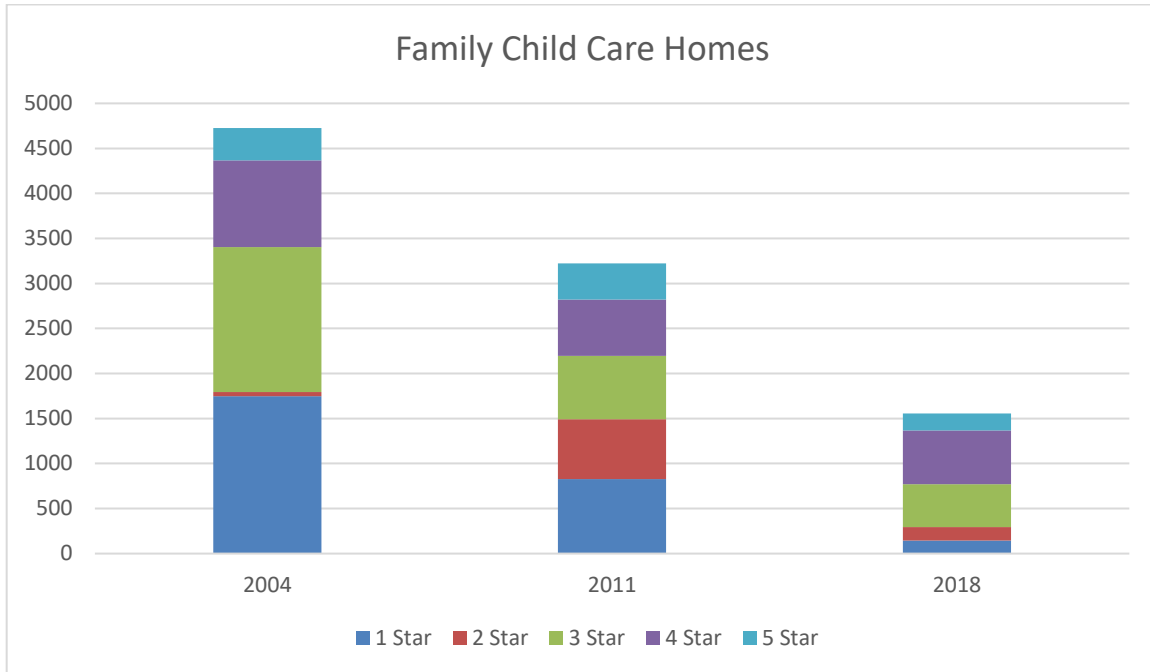


Figure 3. Child Enrollment in QRIS by Star Rating for Child Care Centers in Select Years

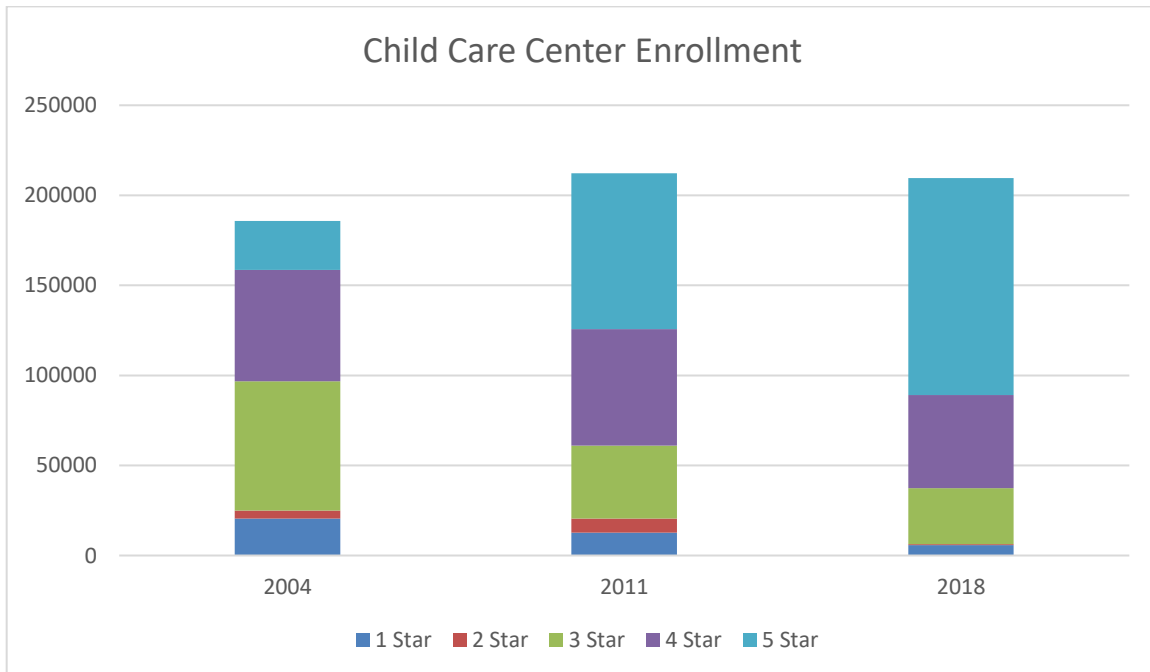
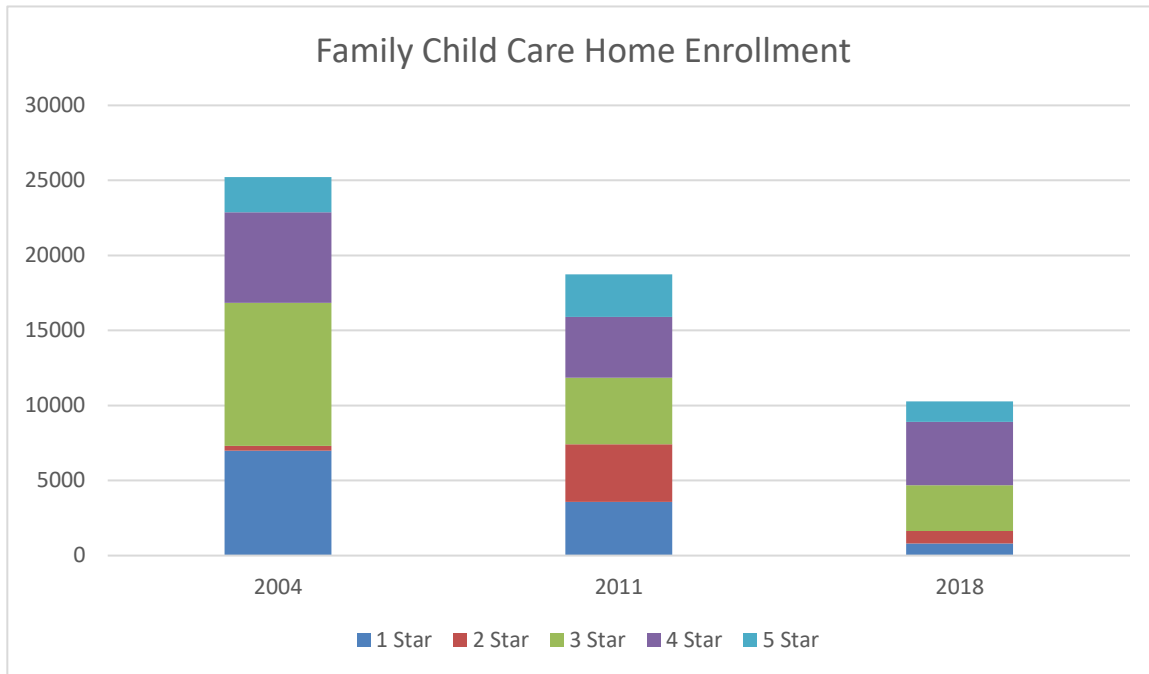


Figure 4. Child Enrollment in QRIS by Star Rating for FCCHs in Select Years



Current Participation in Star-Rating System

The star-rating system is legislatively designed as a tiered level system directly related to subsidized child care payments and is voluntary for child care facilities. Participation in the child care subsidy system begins at licensure with a Temporary License and is retained at a minimum of a Three Star Rated License after the temporary period. This standard can be obtained by child care facilities that are implementing some, but not all, quality standards. As of October 1, 2024, the North Carolina Star Rated License system has over 75% of participating centers (Figure 5) and over 50% of participating Family Child Care Homes (FCCHs, Figure 6) earning 4 and 5 Star Rated Licenses. It is expected that the new pathways will provide achievable choices for any star level of interest.

Figure 5. Percentage of Licenses by Star Rating for Child Care Centers as of 10/1/24

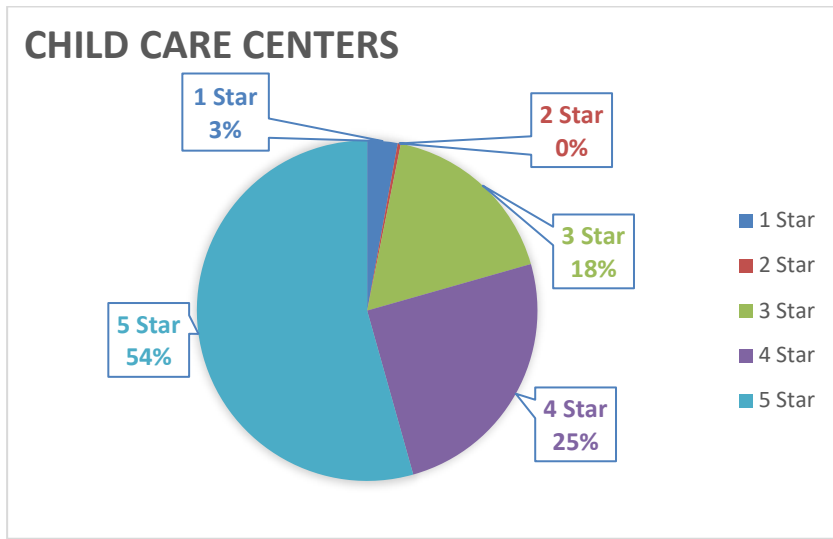
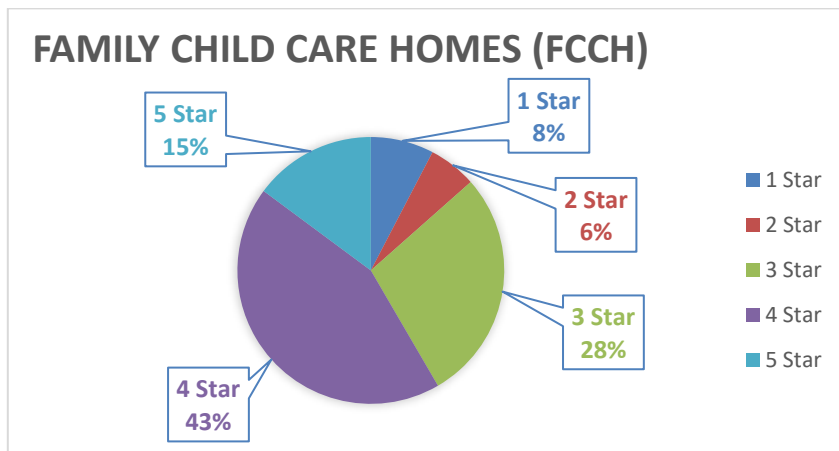


Figure 6. Percentage of Licenses by Star Rating for FCCHs as of 10/1/24



Proposed Rules

In March 2024, upon submission of the legislative report, draft rules were developed. The Commission reviewed the proposed rules in May, June, July, and September 2024. The proposed rules reflect the recommendations in the legislative report, new legislation that requires rulemaking, and supporting details for all recommendations.

Many of the costs and benefits discussed in this analysis are more directly attributable to the session law that required QRIS modernization. In Table 1, the requirements within session law are compared to those within the proposed rules. A more detailed summary of each will follow.

Table 1: Overview of New Requirements from Session Law versus Proposed Rules (10A NCAC 09)

Requirement	Source of Impact		Comments
	Session Law	10A NCAC 09	
Scope 10A NCAC 09 .3201	X		Applicable content of 10A NCAC 09 .2801 moved to Section .3200. Describes scope of requirements for a child care facility to earn a two through five star rated license, noting the licensure pathways described in S.L. 2024-34. No impact beyond that created by session law.
Application for a Two through Five Star Rated License 10A NCAC 09 .3202	X	X	Applicable content of 10A NCAC 09 .2802 moved to Section .3200. Describes process for applying for a two through five star rated license, including the licensure pathways described in S.L. 2024-34. An additional change clarifies that a facility may apply for a 2-5 Rated License during the six month temporary time period. This enables new facilities to get a 2-5 Star Rated License quicker than if they had to wait until the end of the temporary period to apply.
Pathway #1 – Program Assessment for Child Care Centers and FCCHs 10A NCAC 09 .3203 and .3204	X	X	This licensure pathway is required by S.L. 2024-34, Section (8)(a)(1) and aligns with the current QRIS system. Use of a new edition of the Environment Rating Scale is required by S.L. 2024-34, Section (8)(e) and is included in this pathway. Requirements of this licensure pathway comply with S.L. 2024-34, Section (8)(g) regarding the program and education standards for QRIS. The Commission proposes supporting rules to further define the requirements of earning a Star Rated License through this pathway.
Pathway #2 – Classroom & Instructional Quality for Child Care Centers and FCCHs 10A NCAC 09 .3205 and .3206	X	X	This new licensure pathway is required by S.L. 2024-34, Section (8)(a)(2). Requirements of this licensure pathway comply with S.L. 2024-34, Section (8)(g) regarding the program and education standards for QRIS. The Commission proposes supporting rules to further define the requirements of earning a Star Rated License through this pathway.
Pathway #3 – Accreditation and Head Start 10A NCAC 09 .3207	X	X	This new licensure pathway is described in S.L. 2024-34, Sections (8)(a)(3), (8)(b), (8)(c) and (8)(i). This rule is necessary since Sections (8)(b) and (8)(c) will expire on the effective date of rules implementing QRIS reform. The Commission proposes supporting rules to further define the requirements of earning a Star Rated License through this pathway.
Enhanced Staff/Child Ratios for a Child Care Center 10A NCAC 09 .3208		X	Content of 10A NCAC 09 .2818(b) moved to this rule in Section .3200. Language was added to clarify that enhanced staff/child ratios do not apply to facilities who choose to use multi-age group staff child ratios in accordance with Rule .0713(f). This requirement is proposed to be used in all licensure pathways, at varying star levels. This is a current requirement in QRIS but is only a choice at lower point levels. The impact would depend on an operator’s choice of requirements.
Reduced, Enhanced Staff/Child Ratios for a Child Care Center 10A NCAC 09 .3209		X	Content of 10A NCAC 09 .2818(c) moved to this rule in Section .3200. This requirement is proposed to be applicable at the highest level of Pathway #2 only. It is not proposed to apply to Pathway #1 or Pathway #3. This is a change since it is a current requirement at the highest star level. The impact would depend on an operator’s choice of requirements.

Enhanced Space Requirements for Child Care Centers 10A NCAC 09.3210		X	Content of 10A NCAC 09 .2809 moved to this rule in Section .3200. This requirement is proposed to be applicable to Pathway #1 and Pathway #2 as a choice at varying star levels. The impact would depend on an operator's choice of requirements.
Enhanced Education Standards 10A NCAC 09 .3211-.3217	X	X	Education requirements were revised to address workforce challenges with the options for education standards described in S.L. 2024-34, Section (8)(g). New options added by session law include Child Development Associate, early childhood education certificates, and experience-based options. The Commission proposes supporting rules to further define the requirements of education standards for all employment positions.
Competency Evaluations 10A NCAC 09 .3218	X	X	This new rule specifies the requirements for competency evaluations as required by S.L. 2024-34, Section (8)(g). This is a new option in education standards for lead teachers, teachers, and FCCH operators that have not completed higher education. The Commission proposes supporting rules to further define the requirements of competency evaluations.
Family and Community Engagement Standards 10A NCAC 09 .3219 and .3220	X	X	This new rule specifies the requirements regarding family and community engagement practices described in S.L. 2024-34, Section (8)(g) regarding program standards. The Commission proposes supporting rules to further define the requirements of family and community engagement practices, including choices for all child care facilities.
Continuous Quality Improvement 10A NCAC 09 .3221	X	X	This new rule specifies the requirements regarding continuous quality improvement standards described in S.L. 2024-34, Section (8)(g) regarding program standards. The Commission proposes supporting rules to further define the requirements of continuous quality improvement for individuals and child care facilities.
Maintaining the Star Rating 10A NCAC 09 .3222	X	X	Content of 10A NCAC 09 .2830 moved to Section .3200. Describes requirements for maintaining a two through five star rated license, noting the licensure pathways described in S.L. 2024-34. Language regarding employment related changes to a facility were revised to allow more flexibility for operators. Clarifications regarding accreditation related situations were also added in response to the addition of that licensure pathway.
How An Operator May Request of Appeal a Change in Rating 10A NCAC 09 .3223	X		Content of 10A NCAC 09 .2831 moved to Section .3200. Describes requirements for requesting a change in star rating and how to appeal a change in star rating. Minor revisions were made to the current language to align with proposed QRIS revisions. No impact beyond that created by session law.
Quality Points of Distinction 10A NCAC 09 .3224	X	X	This new rule specifies the opportunities to earn recognition or acknowledgment for voluntary participation in other quality initiatives or specialties that are implemented in addition to QRIS standards, as described in S.L. 2024-34, Section (8)(g). The Commission proposes rules to further define the requirements of these opportunities.
Accrediting Organizations and Star Rating Equivalency 10A NCAC 09 .3225	X		This new rule reiterates the requirements of S.L. 2024-34, Section (8)(c). This rule is necessary since Section (8)(c) will expire on the effective date of rules implementing QRIS reform. No impact beyond that created by session law.
Approval of Formative Assessments 10A NCAC 09 .3226	X	X	This new rule specifies the requirements for the approval of formative assessments, described in S.L. 2024-34, Section (8)(g) regarding program standards related to child observation and assessment. This will be a new requirement for child care facilities that choose Pathway #2 to earn a Star Rated License. It is a current requirement for NC Pre-Kindergarten facilities. The approval

			process is a current Child Care Commission activity.
Definitions 10A NCAC 09 .0102	X	X	Includes revised definitions based on the requirements of S.L. 2024-34 and additional definitions for clarification of rules in Section .3200.
Developmental Day Services: License 10A NCAC 09 .2902	X		Aligns licensure requirements for Developmental Day Services with the licensure pathways described in S.L. 2024-34. No impact beyond that created by session law and proposed rules in Section .3200.
Developmental Day Services: Family Services 10A NCAC 09 .2905	X		Aligns family services requirements for Developmental Day Services with the requirements regarding family and community engagement practices described in S.L. 2024-34, Section (8)(g) regarding program standards. No impact beyond that created by session law and proposed rules in Section .3200.
NC Pre-Kindergarten: Facility Requirements 10A NCAC 09 .3002	X		Aligns licensure requirements for NC Pre-Kindergarten programs with the licensure pathways described in S.L. 2024-34. No impact beyond that created by session law and proposed rules in Section .3200.
NC Pre-Kindergarten: Staff- To-Child Ratio and Class Size 10A NCAC 09 .3009	X		Aligns rule with S.L. 2023-134 requirements for staff/child ratio and group size requirements. This is an existing requirement that needs clarification in Child Care Rules. No impact beyond that created by session law.
NC Pre-Kindergarten: Family Engagement 10A NCAC 09 .3010	X		Aligns family services requirements for NC Pre-Kindergarten programs with the requirements regarding family and community engagement practices described in S.L. 2024-34, Section (8)(g) regarding program standards. No impact beyond that created by session law and proposed rules in Section .3200.

QRIS System Overview

	Pathway #1: Program Assessment ↓	Pathway #2: Classroom & Instructional Quality ↓	Pathway #3: Accreditation & Head Start ↓	
2 Star	All 2 Star Standards	All 2 Star Standards	NAFCC NECPA AMS IMC	NAEYC NAC COGNIA Head Start
3 Star	All 3 Star Standards	All 3 Star Standards		
4 Star	All 4 Star Standards	All 4 Star Standards	AND 4 Star Education Standards	
5 Star	All 5 Star Standards	All 5 Star Standards	AND 5 Star Education Standards	

10A NCAC 09 .3201 – Scope

This Rule defines the scope of the proposed rules for “Pathways to the Stars: Where Quality and Choice Meet”, the requirements for child care facilities to meet in order to earn a Two through Five Star Rated License. This is similar to the existing Child Care Rule 10A NCAC 09 .2801. One subparagraph, 10A NCAC 09 .2801(c), is not included in 10A NCAC 09 .3201 since it refers to One Star License requirements and is not applicable to QRIS which focuses on requirements for Two through Five Star Rated Licenses.

10A NCAC 09 .3202 – Application for a Two through Five Star Rated License

This Rule outlines the application process for applying for a Two through Five Star Rated License. This is similar to the existing Child Care Rule 10A NCAC 09 .2802. Notable changes from existing requirements are as follows:

- Revisions to paragraph 10A NCAC 09 .2802(a) are included in 10A NCAC 09 .3202(a) to clarify the operational requirements to apply for a Two through Five Star Rated License. Existing language specifies that a facility must be in operation for a minimum of six consecutive months in order to apply. Revised language specifies demonstration of compliance while operating with a Temporary License which provides necessary clarification regarding when an operator may apply for a Two through Five Star Rated License. This allows application for a Two through Five Star License during the six month temporary time period, rather than at the end, ensuring a smoother and quicker transition from the Temporary License to a Two through Five Star Rated License.
- Revisions to paragraph 10A NCAC 09 .2802(c) are included in 10A NCAC 09 .3202(c) to address new licensure pathway options in QRIS.
- Paragraph 10A NCAC 09 .2802(d) regarding curriculum has been moved to 10A NCAC 09 .3203, .3204, .3205 and .3206 as part of those licensure pathway requirements.
- Paragraph 10A NCAC 09 .2802(f) regarding the Environment Rating Scale (ERS) has been moved to 10A NCAC 09 .3203 and .3204 as part of the program assessment pathway requirements and revised to reflect use of an updated version of ERS as set forth in Session Law 2024-34.

10A NCAC 09 .3203 – Pathway 1: Program Assessment for Child Care Centers

This Rule describes one of three licensure pathways that a child care center may choose to earn a Two through Five Star Rated License using program assessment, a familiar process since this licensure pathway is most similar to current QRIS requirements in Section .2800 for child care centers. Notable changes from existing requirements are as follows:

- Existing enhanced ratio and/or enhanced space requirements depending on the star level desired.
- Existing curriculum requirements for 4 year olds in 4 and 5 Star Rated Licensed centers.
- Proposed education standards regarding Lead Teachers were initially revised during the pandemic from 75% of Lead Teachers meeting education requirements to 50%, as set forth in Session Law 2021-127. Session Law 2024-34 continues the requirements for 50% of Lead Teachers to meet star level requirements, rather than 75%. In addition, the Commission elected to consistently evaluate the education of all other staffing positions, including a requirement that 50% of other educators must meet the desired star level. The star level of these two groups of staff impacts a center’s eligibility for a star rated license. This is in lieu of a points-based system where each type of staff position impacts the overall star rated license for a center.
- Notation of the updated version of the Environment Rating Scales (ERS) – Third Edition and SACERS-U as set forth in Session Law 2024-34, with revised threshold scores that include averages. Average threshold scores are required at the 4 and 5 Star Rated License levels only, in lieu of earning points toward a star rated license. A transitional threshold score and a long term threshold score are built into the rules to allow centers to adjust to and plan for the updated requirements of ERS.
- Addition of a structured self-study requirement at every star level.
- Addition of continuous quality improvement standards at every star level.
- Addition of family and community engagement standards at every star level. This includes foundational practices and additional activity choices depending on the desired star level.

- Addition of a method for the Commission to approve additional program assessment tools, if requested.
- Continues caregiving requirements related to activity schedules and areas as currently specified in Child Care Rule 10A NCAC 09 .2806.
- Continues to require a second administrator when a center is licensed to care for 200 or more children as currently specified in Child Care Rule 10A NCAC 09 .2819(f).
- Continues to require a second program coordinator when a center is licensed to care for 200 or more school-age children as currently specified in Child Care Rule 10A NCAC 09 .2822(c).

10A NCAC 09 .3204 – Pathway 1: Program Assessment for Family Child Care Homes (FCCH)

This Rule describes one of three licensure pathways that a FCCH may choose to earn a Two through Five Star Rated License using program assessment, a familiar process since this licensure pathway is most similar to current QRIS requirements in Section .2800 for FCCH. Notable changes from existing requirements are as follows:

- No enrollment reductions for any star level, in lieu of the points-based system that required fewer infants be enrolled to earn higher programmatic points toward licensure.
- Existing curriculum requirements for 4 year olds in 4 and 5 Star Rated Licensed FCCHs.
- The FCCH operator meets the requirements of the desired star level. This is in lieu of a points-based system where the number of points earned impacts the overall star rated license for a FCCH.
- Notation of the updated version of the Environment Rating Scales (ERS) – Third Edition aligns with Session Law 2024-34, with revised threshold scores. The threshold scores are required at the 4 and 5 Star Rated License levels only, in lieu of earning points toward a star rated license. A transitional threshold score and a long term threshold score are built into the rules to allow FCCHs to adjust to and plan for the updated requirements of ERS.
- Continued self-study requirement at every star level. Self-study requirements are part of current FCCH rules specified in Child Care Rule 10A NCAC 09 .2828 to earn any programmatic points toward a star rated license.
- Addition of continuous quality improvement standards at every star level.
- Addition of family and community engagement standards at every star level. This includes foundational practices and additional activity choices depending on the desired star level.
- Addition of a method for the Commission to approve additional program assessment tools, if requested.

10A NCAC 09 .3205 – Pathway 2: Classroom and Instructional Quality for Child Care Centers

This new Rule describes one of three licensure pathways that a child care center may choose to earn a Two through Five Star Rated License. This is a new licensure pathway set forth in Session Law 2024-34.

- Existing enhanced ratio and/or enhanced space requirements depending on the star level desired. At the Five Star Rated License level, centers must meet existing reduced, enhanced ratio requirements. This requirement is comparable to the highest programmatic standard of the current QRIS. This more stringent ratio is intentional for this pathway to ensure effective implementation of curriculum and child assessment requirements.
- Existing curriculum requirements for 4 year olds in 4 and 5 Star Rated Licensed centers.
- Proposed education standards that continue Hold Harmless requirements for 50% of Lead Teachers to meet star level requirements. In addition, 50% of other educators must meet the desired star level. The star level of these two groups of staff impacts a center’s eligibility for a star rated license. This is in lieu of a points-based system where each type of staff position impacts the overall star rated license for a center.
- Continuous quality improvement standards at every star level.
- Family and community engagement standards at every star level. This includes foundational practices and additional activity choices depending on the desired star level.
- Curriculum implementation for all ages served. At the Four and Five Star rated License levels,

implementation of an approved curriculum for all ages served is required.

- At the Three Star Rated License level, child observation for each child enrolled is required. At the Four and Five Star Rated License levels, approved formative assessments are required to be used for each child enrolled.
- At the Four and Five Star Rated License levels, results of the formative assessment are shared with families.
- At the Three through Five Star Rated License levels, the center administrator and/or lead teachers participate in one of three coaching or training choices regarding classroom and instructional practices.
- At the Four and Five Star Rated License levels, the center administrator and/or lead teachers complete training in the curriculum and formative assessment tool used.

10A NCAC 09 .3206 – Pathway 2: Classroom and Instructional Quality for Family Child Care Homes

This new Rule describes one of three licensure pathways that a FCCH may choose to earn a Two through Five Star Rated License. This is a new licensure pathway set forth in Session Law 2024-34.

- No enrollment reductions to earn Two through Four Star Rated Licenses. At the Five Star Rated License level, FCCHs meeting the capacity requirements of G.S. 110-91(7)(b)(1) shall not have more than four children enrolled under the age of 24 months who are birth to five years of age. This requirement is comparable to the current requirement that reduces the number of infants served by one but less stringent than the current requirement to earn maximum points toward licensure by reducing the number of infants served by two. Enrollment reduction is an intentional requirement for this pathway to ensure effective implementation of curriculum and child assessment requirements.
- Existing curriculum requirements for 4 year olds in 4 and 5 Star Rated Licensed FCCHs.
- The FCCH operator meets the requirements of the desired star level. This is in lieu of a points-based system where the number of points earned impacts the overall star rated license for a FCCH.
- Continuous quality improvement standards at every star level.
- Family and community engagement standards at every star level. This includes foundational practices and additional activity choices depending on the desired star level.
- Curriculum implementation for all ages served. At the Four and Five Star Rated License levels, implementation of an approved curriculum for all ages served is required.
- At the Three Star Rated License level, child observation for each child enrolled is required. At the Four and Five Star Rated License levels, approved formative assessments are required to be used for each child enrolled.
- At the Four and Five Star Rated License levels, results of the formative assessment are shared with families.
- At the Three through Five Star Rated License levels, the FCCH operator participates in one of three coaching or training choices regarding classroom and instructional practices.
- At the Four and Five Star Rated License levels, the FCCH operator completes training in the curriculum and formative assessment tool used.

10A NCAC 09 .3207 – Pathway 3: Accreditation and Head Start

This new Rule describes one of three licensure pathways that a child care facility may choose to earn a Two through Five Star Rated License. This is a new licensure pathway set forth in Session Law 2024-34, which states that a child care facility may be awarded a star rated license based on accreditation that is in good standing.

- Accreditation through seven approved accreditation organizations shall receive either a Three or Five Star Rated License. All seven of those organizations are included in this rule with the designated star rating.
- For facilities that earn a Three Star Rated License through accreditation, the Session Law specifies

that there shall be opportunities to allow that facility to increase its star rating. This rule describes the education standards that will be required for those facilities to increase to a Four or Five Star Rated License.

- Subparagraph (g) of this Rule states a Five Star Rated License may be issued to Head Start or Early Head Start facilities as allowed in Session Law 2024-34.
- Subparagraph (i) of this Rule sets forth the staff/child ratio requirements for accredited facilities. This allows for implementation of required accreditation standards regarding staff/child ratio or a choice between accreditation standards and QRIS standards in proposed Child Care Rule 10A NCAC 09 .3208.
- Subparagraph (j) exempts accredited and Head Start facilities from additional programmatic requirements regarding curriculum, continuous quality improvement and family/community engagement since those standards are addressed as part of the accreditation award or Head Start designation. This eliminates duplication of licensing requirements for these child care facilities.
- Continues caregiving requirements related to activity schedules and areas as currently specified in Child Care Rule 10A NCAC 09 .2806.
- Continues to require a second administrator when a center is licensed to care for 200 or more children as currently specified in Child Care Rule 10A NCAC 09 .2819(f).
- Continues to require a second program coordinator when a center is licensed to care for 200 or more school-age children as currently specified in Child Care Rule 10A NCAC 09 .2822(c).

10A NCAC 09 .3208 – Enhanced Ratio for Child Care Centers

The staff/child ratios and group sizes in this Rule are identical to the staff/child ratios and group size requirements currently in 10A NCAC 09 .2818(a), (b), (d) and (e). One clarification was added, 10A NCAC 09 .3208(e) specifies that use of 10A NCAC 09 .0713(f) by a child care center satisfies the requirement for enhanced staff/child ratios in QRIS.

10A NCAC 09 .3209 – Reduced, Enhanced Ratio for Child Care Centers

The staff/child ratios and group sizes in this Rule are identical to the staff/child ratios and group size requirements currently in 10A NCAC 09 .2818(a), (c), (d) and (e). One clarification was added, 10A NCAC 09 .3209(e) specifies that use of 10A NCAC 09 .0713(f) by a child care center satisfies the requirement for reduced, enhanced staff/child ratios in QRIS.

10A NCAC 09 .3210 – Enhanced Space for Child Care Centers

The indoor and outdoor space requirements in this Rule are identical to the enhanced space requirements currently in 10A NCAC 09 .2809.

10A NCAC 09 .3211 - .3217 – Enhanced Education Standards

Education standards have been revised to address workforce challenges and to include experience and competency based options. The entry level education requirements for QRIS have not been increased and the highest standards remain in place. The revisions offer options throughout the different star levels and employment position for an educator to achieve their professional goals. These revisions support a person who is just entering this profession and the experience of those that have been part of our system for years. New options include the Child Development Associate (CDA), early childhood education certificates and experience based options that include completion of continuing education units (CEU's) or competency evaluations. All of these options align with Session Law 2024-34, Section 8(g) regarding education standards.

10A NCAC 09 .3218 – Competency Evaluation Standards

Competency Evaluation is a new option in education standards set forth in Session Law 2024-34. As proposed, it applies to individuals who are lead teachers, teachers and family child care home operators that have not completed higher education. This is combined with years of experience as an option to meet various

star levels depending on the employment role of this individual.

10A NCAC 09 .3219 – Family and Community Engagement Standards for Child Care Centers

This new Rule describes new standards that focus on family and community engagement for child care centers as set forth in Session Law 2024-34. Foundational practices begin at the Two Star Rated License level and to earn a Three through Five Star Rated License, a child care center chooses additional options from three categories of engagement. The number of additional options a child care center must implement increases with every star level.

10A NCAC 09 .3220 – Family and Community Engagement Standards for Family Child Care Homes

This new Rule describes new standards that focus on family and community engagement for FCCHs as set forth in Session Law 2024-34. Foundational practices begin at the Two Star Rated License level and to earn a Three through Five Star Rated License, a FCCH operator chooses additional options from three categories of engagement. The number of additional options the operator must implement increases with every star level.

10A NCAC 09 .3221 – Continuous Quality Improvement (CQI) Standards

This new Rule outlines CQI plan requirements as set forth in Session Law 2024-34. As proposed, it applies to individuals and facilities by requiring development of goals for continuous quality improvement. This includes documenting the reason/need for the goals, resources needed to accomplish the goal, and a yearly evaluation of the progress toward the goal. This is intended to promote a reflective process that leads to sustained quality regarding teaching, learning and practices that achieve better outcomes for children, staff and programs.

10A NCAC 09 .3222 – Maintaining the Star Rating

This Rule defines the requirements for child care facilities to maintain a Two through Five Star Rated License. This Rule is similar to the existing Child Care Rule 10A NCAC 09 .2830. Notable changes from existing requirements are as follows:

- Revisions to sub-paragraphs of 10A NCAC 09 .2830(a) are included in 10A NCAC 09 .3222(a) to address new licensure pathway options in QRIS.
- Revisions to paragraph 10A NCAC 09 .2830(c) are included in 10A NCAC 09 .3222(c) and are intended to address workforce crisis issues regarding employment related changes.
- Revisions to paragraph 10A NCAC 09 .2830(d) are included in 10A NCAC 09 .3222(d) and (e) to address new licensure pathway options in QRIS.
- Addition of paragraph 10A NCAC 09 .3222(f) to address accreditation licensure pathway situations.

10A NCAC 09 .3223 – How An Operator May Request or Appeal a Change in Rating

This Rule outlines the process for requesting a change in star rating and how to appeal a change in star rating. This Rule is similar to the existing Child Care Rule 10A NCAC 09 .2831. Minor revisions to paragraph 10A NCAC 09 .2831(b) are included in 10A NCAC 09 .3223(b) to address proposed revisions regarding program assessment.

10A NCAC 09 .3224 – Quality Points of Distinction (QPD)

This is a new Rule that acknowledges participation in or completion of quality initiatives and practices that are not otherwise addressed in QRIS as set forth in Session Law 2024-34. These are options that child care facilities may choose to earn and that accompany any Two through Five Star Rated License. Quality Points of Distinction are not used to earn a Two through Five Star Rated License.

10A NCAC 09 .3225 – Accrediting Organizations and Star Rating Equivalency

This is a new Rule that aligns with Session Law 2024-34 regarding the Child Care Commission’s reassessment of an accreditation organization’s star rating designation within QRIS and the discretionary

assessment and approval of additional accreditation organizations for QRIS upon request. This Rule specifies that the accreditation standards will be compared to QRIS standards in Section .3200 to determine star rating designation and/or approval.

10A NCAC 09 .3226 – Approval of Formative Assessments

This is a new Rule that specifies the review and approval process of formative assessment tools to support the requirements of the licensure pathway described in proposed rules .3205 and .3206 and set forth in Session Law 2024-34. Formative assessments are an existing requirement in Child Care Rule 10A NCAC 09 .3008 for NC Pre-K facilities. The Child Care Commission already approves formative assessment tools using the specified criteria and the current list of approved formative assessment tools is published on the Division’s website. Since non-NC Pre-K child care facilities may already be using formative assessment tools that are not part of the currently approved list, this Rule provides information regarding approval of additional formative assessment tools.

10A NCAC 09 .0102 – Definitions

This revised Rule is in response to Session Law 2024-34 regarding QRIS Modernization and the proposed rules of Section .3200. These rules are directly related to the implementation of QRIS for all child care facilities and the proposed changes reflect the recommendations in the legislative report, new legislation that requires rulemaking, and aligns with the proposed rules in Section .3200 for QRIS. Notable changes from existing requirements are as follows:

- Addition of definition for “administrative work experience” in 10A NCAC 09 .0102(2). There was not a definition for this type of work experience though the term is used throughout the Child Care Rules, including QRIS requirements.
- Addition of definition for “centers located in a residence” in 10A NCAC 09 .0102(8). There was not a definition for this type of facility though the term is used throughout the Child Care Rules, including QRIS requirements.
- Updated definition for Environment Rating Scale (ERS) tools in 10A NCAC 09 .0102 (18), (21), (29) and (45) as set forth in Session Law 2024-34.
- Addition of definition for “early childhood education work experience” in 10A NCAC 09 .0102(19). There was not a definition for this type of work experience though the term is used throughout the Child Care Rules, including QRIS requirements.
- Updated definition for “Family Child Care Home” to reflect existing law.

10A NCAC 09 .2902 - License (Developmental Day Services)

This revised Rule is in response to Session Law 2024-34 regarding QRIS Modernization and the proposed rules of Section .3200. These rules are directly related to the implementation of QRIS for Developmental Day Centers which are required to maintain a 4 or 5 Star Rated License in addition to other requirements that are specific to Developmental Day facilities. The revisions align this rule with proposed rules in Section .3200 that describe three licensure pathways. Notable changes from existing requirements are as follows:

- Subparagraph (c) of this Rule is being revised so that operators of Developmental Day Centers may choose from the three licensure pathways described in proposed Section .3200 regarding QRIS.
- The requirement for an Environment Rating Scale (ERS) and threshold score has been revised to reflect that it will only be applicable if the operator chooses to meet the requirements of proposed Child Care Rule 10A NCAC 09 .3202 regarding program assessment to earn a four or five star rated license.

10A NCAC 09 .2905 – Family Services (Developmental Day Services)

This revised Rule is in response to Session Law 2024-34 regarding QRIS Modernization and the proposed rules of Section .3200. These rules are directly related to the implementation of QRIS for Developmental Day Centers and the revisions eliminate duplication of requirements between this rule and family/community

engagement standards in proposed Child Care Rule 10A NCAC 09 .3219. It was further specified that the remaining activities shall not be used to meet any other choices selected to fulfill licensure requirements regarding family/community engagement standards of QRIS.

10A NCAC 09 .3002 – Facility Requirements (NC Pre-Kindergarten)

This revised Rule is in response to Session Law 2024-34 regarding QRIS Modernization and the proposed rules of Section .3200. The revisions reflect requirements related to the implementation of QRIS for NC Pre-Kindergarten facilities which are required to maintain a 4 or 5 Star Rated License in addition to other NC Pre-Kindergarten rules. The revisions align this rule with proposed rules in Section .3200 that describe three licensure pathways. Notable changes from existing requirements are as follows:

- Subparagraph (a) of this Rule is being revised so that operators of NC Pre-K facilities may choose from the three licensure pathways described in proposed Section .3200 regarding QRIS.
- Subparagraph (b) of this Rule is being revised to reflect the updated edition of the Environment Rating Scale (ERS) tool as set forth in Session Law 2024-34. The requirement for an ERS assessment and threshold score will only be applicable if the operator chooses to earn a Four or Five Star Rated License by meeting the requirements of proposed Child Care Rule 10A NCAC 09 .3202 regarding program assessment or proposed Child Care Rule 10A NCAC 09 .3205 regarding classroom and instructional quality. Operators that choose to earn a Four or Five Star Rated License by meeting the requirements of proposed Child Care Rule 10A NCAC 09 .3207 regarding accreditation and Head Start designation will not be required to complete an ERS assessment.

10A NCAC 09 .3009 – Staff-To-Child Ratio and Class Size (NC Pre-Kindergarten)

This revised Rule is in response to Session Law 2023-134 regarding staff-to-child ratio and class size for NC Pre-K facilities. Currently licensed NC Pre-K facilities are already meeting this requirement.

10A NCAC 09 .3010 – Family Engagement (NC Pre-Kindergarten)

This revised Rule is in response to Session Law 2024-34 regarding QRIS Modernization and the proposed rules of Section .3200. These rules are directly related to the implementation of QRIS for NC Pre-Kindergarten facilities and are being revised to align requirements between this rule and family/community engagement standards in proposed Child Care Rule 10A NCAC 09 .3219. The revisions specify that four of the six activities may be used to fulfill licensure requirements regarding family/community engagement standards of QRIS.

**It is anticipated that Section .2800 “Two Through Five Star Rated Licenses” will be repealed at the time that Section .3200 is adopted.*

Impact Analysis

The availability of new licensure pathways for child care facilities has the potential to support and promote quality ratings as stakeholders will be able to find their place in the system. The addition of choices with QRIS is expected to remove barriers for the individuals of the early childhood workforce as well as the child care facilities in earning their star rated license. Examples of barriers identified by stakeholders and described in the [legislative report](#):

- Staff shortages, turnover and education requirements, including opposing views regarding higher education requirements vs. experience-based knowledge. These rules create more choices in education standards, including higher education coursework/degrees and experience, training and competency options. This offers early childhood professionals more opportunities to demonstrate knowledge, skills and abilities regarding quality care practices.

- Barriers in applying program assessment standards for programs with a specific teaching philosophy or pedagogy. Accreditation for Montessori programs is included in QRIS as required by Session Law 2024-34 and eliminates program requirements that have previously presented challenges such as program assessment and curriculum requirements. The Classroom and Instructional Quality Pathway offers an additional option for programs that prefer to demonstrate quality through smaller groups of children, implementation of curriculum practices and child focused planning through observation and assessment of children’s needs.
- External program assessment was frequently identified as “stressful” for teaching staff and operators, presenting a challenge in earning required scores. The addition of two licensure pathways that do not include external program assessment offers options for demonstrating quality.
- QRIS was described as “rigid” or that there is only one way to achieve a high star rating and demonstrate quality practices. Choices have been incorporated for individuals and facilities through education standards and throughout requirements for each licensure pathway. For child care facilities that have invested in program assessment related quality, the Program Assessment Pathway remains an option.

Impacts to State Government

Initial Rollout

Implementation of these rules will not require additional Division staffing above existing requirements but rather a shift in focus of work regarding training and procedural changes. There are currently existing positions whose job descriptions include the scope of work needed to develop and deliver training and procedural changes. There is expected to be some additional workload during the initial rollout of the new QRIS pathways. It is estimated that existing positions will spend the following time on activities preparing for implementation of these rules:

- Approximately 60 hours for procedures and corresponding resources and documents
- Approximately 5 hours for agency website updates
- Approximately 40 hours for development of training modules
- Approximately 34 hours of regional staff meetings that are routinely scheduled bi-annually
- Approximately 10 hours of preparation for consumer education materials for families

	Full-Time Annual Salary + Fringe	Hourly Rate	# of Hours	Total
State Employee Time Cost ¹	\$95,170	\$45.75	5 10 34 40 60	\$6,817 one-time costs

The time that will be spent by Division staff during the child care facility visits for Two through Five Star Rated License assessments using revised QRIS rules is expected to be comparable to time expected for star rated license assessment and reassessment activities with current QRIS standards. The only difference is that the pathways created within the rules include choices in requirements to earn the star rated licenses,

¹ Average salary was based on State Employee [Compensation and Benefits Report](#). Total compensation hourly rate includes salary plus benefits for an employee with 12 years of service. [NC OSHR: Total Compensation Calculator](#)

which is addressed in the procedural changes already described. Division staff already assist child care operators with understanding rules and how the rules relate to their individual facility, in addition to monitoring for compliance. Disseminating new information and navigating the choices offered in the new QRIS is within their existing scope of work.

Education Standards

All child care facilities and early childhood education professionals currently submit education information to the Division of Child Development and Early Education Workforce Unit for evaluation so there would not be an additional cost incurred by the Division for evaluation of the Child Development Associate (CDA), the NC Early Childhood Credential, the NC Early Childhood Administration Credential, the NC Family Child Care Credential, equivalency determinations and higher education coursework, certificates and degrees. Other education standard impacts are as follows:

- Years of work experience for all positions is currently verified by Division staff and will not result in any additional time during monitoring visits. Operators and early childhood education professionals already document their work experience as related to their employment positions. School age care work experience has been revised from a total number of hours of experience to a require months/years of experience. This will be simpler for operators, early childhood education professionals to document and Division staff to verify. This could result in negligible time savings for Division staff.
- The Division expects to implement competency evaluations through contracted services with a partner agency funded through quality dollars already allotted via the Child Care and Development Fund (CCDF). The total number of evaluators needed within the system will depend on the number of requests received once proposed rules are adopted. Responsibility for implementation of this QRIS activity has not been assigned to a specific partner agency. However, it is estimated that to employ five evaluators (assuming even distribution across all regions of the state), the estimated cost would be about \$398,090 based on existing contracts with a partner agency whose staff have comparable responsibilities, as described below:

	Full-Time Annual Salary for One Evaluator	Fringe Benefits	Total	System Cost for Five Evaluators
Average based on Existing Contracts with Partner Agencies	\$51,700	54% (\$27,918)	\$79,618	\$398,090

The estimated salary range includes the cost of observation and portfolio reviews. Travel costs to and from in-person observations will be in addition to the estimated salary/benefit range, determined by the number of evaluators employed and the location of the individuals requesting a competency evaluation. These variables are difficult to predict in total but would align with [NC OSBM Travel Policies](#) that include eligible reimbursement items such as lodging, meals and mileage rates.

Development of the competency evaluation tool and materials is an activity funded through the Preschool Development Grant (PDG). Anticipated costs for early childhood education professionals to utilize this option are captured within the cost to child care facilities.

Impacts to Local Government

There are no expected impacts on local government. N.C.G.S. 110-91 states that all child care facilities shall comply with local ordinances that pertain to child health, safety and welfare. This is a mandatory standard for all child care licenses and is routinely monitored as part of minimum licensing requirements. This includes sanitation standards, local building codes and fire prevention. QRIS standards remain voluntary for child care operators and are in addition to minimum licensing requirements.

Impacts to Child Care Facilities

Estimating the number of child care facilities that may choose each of the three licensure pathways will be difficult since the requirements have not yet become effective. Participation in QRIS will remain voluntary while continuing to provide an incentive to increase and maintain quality of child care practices. A child care facility may choose to operate with a One Star Rated License indefinitely. Those facilities that choose to earn a Two through Five Star Rated License may have other variables that impact outcomes including facility goals regarding star level, licensure pathway selection, individual choices in education standards, an operator's choice regarding family and community engagement standards, the number of staff employed at a child care center, the number of FCCH operators that employ an additional caregiver, and the number and ages of children enrolled in any facility.

Family Child Care Home Enrollment/Capacity

Current enrollment requirements for FCCHs have been revised as part of QRIS reform.

- For Pathway #1 and Pathway #3, there are no recommended enrollment restrictions for any star level.
- For Pathway #2, an enrollment restriction applies to earning the highest star rating by reducing the number of children under the age of twenty-four months by one, if the FCCH is meeting N.C.G.S. 110-91(7)(b)(1) for their licensed capacity. This enrollment restriction does not impact the licensed capacity of the FCCH; rather, it limits the ages served within the licensed capacity.

Using current licensure data, the following outcomes could occur depending on a FCCH operator's choice of licensure pathways:

- There are 51 FCCH facilities meeting the current QRIS requirements to earn six program points as described in Rule .2828(b), which reduces enrollment of infants by one.
 - If these facilities choose Pathway #2, they can maintain their current enrollment and be eligible for the highest star rating.
 - If all of these facilities choose Pathway #1 or Pathway #3, they could increase the number of infants/toddlers enrolled within their licensed capacity. This could result in a maximum of 51 additional available slots for infants/toddlers within the existing licensed capacity, a benefit to families seeking child care. The available slots result in a potential increase in income for each family child care home operator ranging from \$462-\$1,276 depending on the county in which they operate (North Carolina Child Care Market Rate Survey of 2023).
- There are 164 FCCH facilities meeting the current QRIS requirements to earn seven program points as described in Rule .2828(b), which reduces enrollment of infants by two.
 - If all of these facilities choose Pathway #2, they can earn the highest star rating and care for one additional infant/toddler within their licensed capacity. This would result in a maximum of 164 additional available slots for infants/toddlers within the existing licensed capacity, a benefit to families seeking child care. The available slots result in a potential increase in income for each family child care home operator ranging from \$462-\$1,276 depending on the county in which they operate (North Carolina Child Care

- Market Rate Survey of 2023).
- If all of these facilities choose Pathway #1 or Pathway #3, they can increase the number of infants/toddlers enrolled within their licensed capacity by two. This could result in a maximum of 328 additional available slots for infants/toddlers within the existing licensed capacity, a benefit to families seeking child care. The available slots result in a potential increase in income for each family child care home operator ranging from \$924-\$2,548 depending on the county in which they operate (North Carolina Child Care Market Rate Survey of 2023).

Child Care Center Staff/Child Ratio and Space Requirements

Current staff/child ratio and space requirements for child care centers are as follows and remain unchanged regarding the content of the rules and apply to all licensure pathways:

- enhanced staff/child ratios are a reduction of one child per age group served;
- reduced enhanced staff/child ratios are a reduction of two children per age group served; and
- enhanced space is a reduction of 5 square feet per child indoors and 25 square feet per child using the outdoor space at any given time.

However, the method in which the requirements are used for each pathway will be different. Using current licensure data, the following outcomes could occur depending on a child care center operator's choice of licensure pathways:

- There are 975 child care centers meeting the current QRIS requirements to earn one through three points as described in Rule .2817(b) that are meeting enhanced ratio requirements or enhanced space requirements. Those facilities could maintain their choice for Pathway #1 to earn a Two, Three or Four Star Rated License and for Pathway #2 to earn a Two or Three Star Rated License. If these facilities choose Pathway #3, they will likely have to implement the enhanced ratio requirement.
- There are 1,391 child care centers meeting the current QRIS requirements to earn four through six points as described in Rule .2817(b) that are meeting enhanced ratio requirements. Those facilities could maintain their choice for Pathway #1 and Pathway #3 to be eligible for a Five Star Rated License and for Pathway #2 to be eligible for up to a Four Star Rated License.
- There are 1,343 child care centers meeting the current QRIS requirements to earn seven program points as described in Rule .2817(b). This includes meeting reduced, enhanced ratio requirements and enhanced space requirements.
 - If these facilities choose Pathway #1, they no longer need to meet reduced, enhanced ratio requirements. At the Five Star Rated License level, enhanced ratio requirements must be implemented. Pathway #1 is the most similar to the current system but without the requirement to meet the most stringent ratio requirements. An example of the enrollment and tuition benefit is as follows: If a facility served six groups of children, infants through school age at the maximum group size with two caregivers, their capacity would be 117. In the current system, this capacity would have been reduced to 93. This reduction in capacity equals an estimated loss of tuition ranging from \$942 to \$3,748 per month based on the Child Care Market Rate Study of 2023. By continuing to use this pathway to earn their Two through Five Star Rated License, a facility could increase their monthly revenue.
 - If these facilities choose Pathway #2, they can earn the highest star rating by maintaining the reduced, enhanced ratio requirements.
 - If these facilities choose Pathway #3, they no longer need to meet reduced, enhanced ratio requirements. They must meet the required ratio requirements of the accreditation or Head

Start standards when required to obtain accreditation or Head Start designation. If ratio requirements are not required to achieve accreditation or Head Start designation, the facility would choose to meet either the accreditation or Head Start standards or the enhanced ratio requirements of QRIS.

- Use of enhanced space requirements is optional for all star levels and licensure pathways. Child care centers that are currently meeting this requirement will see a benefit in planning for new and existing indoor and outdoor spaces. According to Crexi.com the average cost to design/build retail space ranges from \$245 per square foot in a rural area like Martin County to \$427 per square foot in an urban area like Mecklenburg County. The space savings for an existing facility would range from \$1,225 - \$2,135 for a reduction of 5 square feet of indoor space per child and range from \$6,125 - \$10,675 for a reduction of 25 square feet of outdoor space depending on the county where the center is located. Outdoor space is determined by the number of children using the space at any given time, rather than a requirement for each child included in licensed capacity. For a new facility, the cost savings for both space and capacity will be very beneficial as they can build a smaller building or consider the extra space in existing facilities for added classrooms and tuition. For child care centers that are leasing space, they could also realize a cost savings if they are able to lease a smaller space.

Overall, child care facilities will see a benefit in the re-structuring of enrollment, ratio and space requirements for QRIS. This will allow an increase in the number of children that may be served within each child care facility's existing licensed capacity, a more profitable use of existing space and cost savings when planning for new facilities. The potential for increased availability of slots in each age bracket and child care setting is a system-wide benefit for operators and families.

Continuous Quality Improvement (CQI)

Session Law 2024-34 includes continuous quality improvement as a QRIS standard, and Section .3200 sets forth the recommended rules regarding continuous quality improvement plans for individuals and facilities. The estimated costs described below are largely attributable to the session law.

Each center administrator and staff members with caregiving responsibilities will need to complete a Continuous Quality Improvement (CQI) plan. This is an extension of the professional development plan already required to be completed annually in Child Care Rules 10A NCAC 09 .1104 and .1703(f). It is estimated that each staff member will spend approximately 1 hour per year to prepare and reflect on their CQI plan. A FCCH operator's CQI plan may include both the individual and facility perspective, with an overall estimate of 1 hour per year to prepare and reflect on their CQI plan. In addition, each center administrator will need to complete a CQI Plan for the facility annually, a new requirement. It is estimated that each center administrator will spend approximately 1 hour per year to prepare and reflect on the facility CQI plan.

Some possible scenarios regarding costs for individual facilities follow:

1. For an individual FCCH, this would be an estimated opportunity cost of \$14.20 annually if there are no additional caregivers employed. This includes the individual and facility requirements for implementation.
2. For a child care center employing 12 staff that are required to complete a CQI Plan, this would be an estimated opportunity cost of \$170.40 annually for individual requirements plus an estimated opportunity cost of \$21.00 for the facility requirements for a total of \$191.40 for implementation of CQI standards.

These estimates are based on the average wage of child care professionals using the Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov) and the average wage for administrators based on information in "[Working in Early Care and Education in NC, 2023 Workforce Study, Child Care Services Association](#)".

Family and Community Engagement

Family/Community Engagement is a new set of programmatic standards for QRIS set forth in Session Law 2024-34 and applies to this licensure pathway. It builds on parent participation requirements for child care centers in Child Care Rule 10A NCAC 09 .0515 and establishes similar requirements for FCCHs through foundational practices at the Two Star Rated License. As a facility increases their star rating, they continue to implement foundational practices and select additional options from three categories of engagement.

Family and Community Engagement was consistently identified as critical to providing quality child care to families during community outreach efforts regarding QRIS Modernization and the options outlined in these rules were activities that directly reflect that feedback. More information, including direct quotes from community outreach, were included in the [legislative report](#).

The total cost for each child care facility will be determined by an operator's choices in meeting the requirements of their desired star rating. Estimated costs of foundational practices and possible choices are outlined below:

- Foundational practices are estimated to require 4 hours of planning by the center administrator or FCCH operator annually in providing communication and planning required opportunities. Estimating one center administrator for each child care center at \$21.00 per hour average wage: $\$21.00 \times 4 \text{ hours} = \84 average opportunity cost for facility implementation. Average wage for administrators is based on information in "[Working in Early Care and Education in NC, 2023 Workforce Study, Child Care Services Association](#)". For FCCH operators, estimating \$14.20 per hour average wage $\times 4 \text{ hours} = \56.80 opportunity cost for facility implementation. Average wage for FCCH operators is based on Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov).

An additional 1.5 hours is estimated per child enrolled for Lead Teachers or a FCCH operator to plan and conduct annual family conferences. This opportunity cost is estimated at \$21.30 per enrolled child, based on a \$14.20 average hourly wage using Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov). We are unable to determine how many families have multiple children in a single facility and how many facilities already use these practices in their daily operation, variables that will affect the specific costs to individual child care facilities. Some possible scenarios follow:

1. For a FCCH operator that is licensed to care for a total of 8 children $\times \$21.30 = \170.40 is the estimated opportunity cost for implementation of this requirement.
2. For a child care center with 100 children in care $\times \$21.30 = \$2,130.00$ is the estimated opportunity cost for implementation of this requirement.

Implementation of foundational practices is estimated to have an opportunity cost at least \$227.20 for FCCHs and approximately \$2,214 for child care centers with 100 children in care. The main variable for implementation of estimated cost is the number of children enrolled at any given time.

- The first category of engagement, communication options, includes choices that range in the amount of time needed to implement the selected option. Three of the four options are estimated to require 6 hours of planning by the center administrator or the FCCH operator annually. Estimating one center administrator for each child care center at \$21.00 per hour average wage: $\$21.00 \times 6 \text{ hours} = \126 average opportunity cost for facility implementation. Average wage for administrators is based on information in "[Working in Early Care and Education in NC, 2023 Workforce Study, Child Care Services Association](#)". For FCCH operators, estimating \$14.20 per hour average wage $\times 6 \text{ hours} = \85.20 opportunity cost for facility implementation. Average wage for FCCH operators is based on Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov).

An additional 3 hours is estimated per child enrolled for Lead Teachers or a FCCH operator to plan

and conduct family conferences twice annually. This opportunity cost is estimated at \$42.60 per enrolled child, based on a \$14.20 average hourly wage using Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov). We are unable determine how many families have multiple children in a single facility and how many facilities already use these practices in their daily operation, variables that will affect the specific costs to individual child care facilities. Some possible scenarios follow:

1. For a FCCH operator that is licensed to care for a total of 8 children x \$42.60 = \$340.80 is the estimated opportunity cost for implementation of this option.
2. For a child care center with 100 children in care x \$42.60 = \$4,260.00 is the estimated opportunity cost for implementation of this option.

Overall, choices for this category of engagement range from \$85.20 to \$4,260 (opportunity cost) per facility depending on what option is selected and how many children are enrolled.

- The second category of engagement, engagement and leadership options includes choices that range in the amount of time needed to implement the selected option. Establishing an ongoing process to receive and review feedback, offering an annual survey to families, and developing a transition plan are three of the eight options that are estimated to require 4 hours of planning by the center administrator or the FCCH operator annually. Estimating one center administrator for each child care center at \$21.00 per hour average wage: $\$21.00 \times 4 \text{ hours} = \84 average opportunity cost for facility implementation. Average wage for administrators is based on information in [“Working in Early Care and Education in NC, 2023 Workforce Study, Child Care Services Association”](#). For FCCH operators, estimating \$14.20 per hour average wage x 4 hours = \$56.80 opportunity cost for facility implementation. Average wage for FCCH operators is based on Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov).

Offering an enrollment orientation, working collaboratively with service providers, organizing family events or establishing a family council, board or representative are five of the eight options that are estimated to require 8 hours of planning by the center administrator or FCCH operator annually. Estimating one center administrator for each child care center at \$21.00 per hour average wage: $\$21.00 \times 8 \text{ hours} = \168 average opportunity cost for facility implementation. Average wage for administrators is based on information in [“Working in Early Care and Education in NC, 2023 Workforce Study, Child Care Services Association”](#). For FCCH operators, estimating \$14.20 per hour average wage x 8 hours = \$113.60 opportunity cost for facility implementation. Average wage for FCCH operators is based on Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov).

Overall, choices for this category of engagement range from an opportunity cost of \$56.80 to \$168 per facility depending on what is selected.

- The third category of engagement, education opportunity options, includes choices that range in the amount of time and resources needed to implement the selected option. Organizing family events where staff and families learn together is estimated to require at least 3 hours of planning time and additional costs as determined by the center administrator or FCCH operator. This includes four of the six choices for this category of engagement. Estimating one center administrator for each child care center at \$21.00 per hour average wage: $\$21.00 \times 3 \text{ hours} = \63 average opportunity cost for facility implementation. Average wage for administrators is based on information in [“Working in Early Care and Education in NC, 2023 Workforce Study, Child Care Services Association”](#). For FCCH operators, estimating \$14.20 per hour average wage x 3 hours = \$42.60 opportunity cost for facility implementation. Average wage for FCCH operators is based on Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov).

Another option described providing supports for families such as interpreter services, meals/snacks or materials during family involvement can vary in cost depending on local resources and how a center administrator or a FCCH operator plans the events. As one example, if a child care facility chooses to use this option and schedules interpreter services, the pay rate from the U.S. Bureau of Labor Statistics: Median hourly pay for Interpreters and Translators for 2023 was \$27.45/hour. [Interpreters and Translators : Occupational Outlook Handbook: : U.S. Bureau of Labor Statistics](#).

For child care centers, providing paid planning time for Lead Teachers to conduct conferences is estimated to be 1.5 hours per child enrolled, each time a conference is needed. It is estimated to have an opportunity cost of \$21.30 per enrolled child, based on a \$14.20 average hourly wage using Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov). We are unable determine how many families have multiple children in a single facility and how many facilities already use these practices in their daily operation, variables that will affect the specific costs to individual child care facilities. One example is for a child care center with 100 children in care x \$42.60 = \$4,260.00 is the total estimated opportunity cost for implementation of this option.

Overall, choices for this category of engagement range from an opportunity cost of \$42.60 to \$4,260 per facility depending on what is selected. Additional costs would be incurred if a facility opts to provide additional supports such as hired interpreter services, meals, and other resources.

Education Standards

All child care facilities and early childhood education professionals currently submit education information to the Division of Child Development and Early Education Workforce Unit for evaluation, so there would not be an additional cost incurred for evaluation of the Child Development Associate (CDA), the NC Early Childhood Credential, the NC Early Childhood Administration Credential, the NC Family Child Care Credential, equivalency determinations and higher education coursework, certificates and degrees.

In the current QRIS standards, education standards apply to earning points, either as an individual or part of a group of staff, across a possible range of 2-7 points. Those point levels have been condensed and revised in star level requirements, ranging from the 2-star level through the 5-star level. Information related to each employment position are as follows:

For FCCH operators

2 Star	Current education standards at the 2- and 3-point level include semester hour completion and FCC Credential options and remain part of QRIS at this star level. The CDA is currently used as an equivalency to minimum licensing standards but will be included in a more specific manner for QRIS, a benefit to individuals who already have a CDA. According to the CDA Council , the initial cost to obtain the CDA ranges from \$425 - \$500 and renewal costs range from \$125-\$150 every three years. The experience-based option is a new standard intended to benefit individuals who are able to demonstrate competency in quality care practices without higher education, a solution to many potential barriers an individual may experience.
3 Star	Current education standards at the 4-point level include semester hour completion and FCC Credential options and remain part of QRIS at this star level. The CDA is currently used as an equivalency to minimum licensing standards but will be included in a more specific manner for QRIS, a benefit to individuals who already have a CDA. According to the CDA Council , the initial cost to obtain the CDA ranges from \$425 - \$500 and renewal costs range from \$125-\$150 every three years. The experience-based option is a new standard intended to benefit individuals who are able to demonstrate competency in quality care practices without higher education, a solution to many potential barriers an individual may experience.
4 Star	Current education standards at the 5-point level include semester hour completion and FCC Credential

	options and remain part of QRIS at this star level. The early childhood education certificate is a new stand-alone option in rule but is currently used to meet semester hour requirements since certificates are offered through higher education institutions. The experience-based option is a new standard intended to benefit individuals who are able to demonstrate competency in quality care practices without higher education, a solution to many potential barriers an individual may experience.
5 Star	Current education standards at the 6- and 7-point levels include semester hour completion, FCC Credential options, completion of degrees and work experience, remaining part of QRIS at this star level. The new option to count completion of all required ECE coursework for an AAS degree without full completion of degree is intended to be a benefit to individuals who are still completing a degree. The experience-based option is a new standard intended to benefit individuals who are able to demonstrate competency in quality care practices without higher education, a solution to many potential barriers an individual may experience.

For Lead Teachers

2 Star	Current education standards at the 2- and 3-point level include semester hour completion and work experience and remain part of QRIS at this star level. The CDA is currently used as an equivalency to minimum licensing standards but will be included in a more specific manner for QRIS, a benefit to individuals who already have a CDA. According to the CDA Council , the initial cost to obtain the CDA ranges from \$425 - \$500 and renewal costs range from \$125-\$150 every three years. The experience-based option is a new standard intended to benefit individuals who are able to demonstrate competency in quality care practices without higher education, a solution to many potential barriers an individual may experience.
3 Star	Current education standards at the 4- and 5-point level include semester hour completion and work experience and remain part of QRIS at this star level. The CDA is currently used as an equivalency to minimum licensing standards but will be included in a more specific manner for QRIS, a benefit to individuals who already have a CDA. According to the CDA Council , the initial cost to obtain the CDA ranges from \$425 - \$500 and renewal costs range from \$125-\$150 every three years. The experience-based option is a new standard intended to benefit individuals who are able to demonstrate competency in quality care practices without higher education, a solution to many potential barriers an individual may experience.
4 Star	Current education standards at the 4-point level include work experience that remains part of QRIS at this star level. The option for completion of 12 semester hours is new to rule language for this position but provides an opportunity for acknowledgement of progress toward a degree in QRIS between the 3- and 5-star levels. The early childhood education certificate is a new stand-alone option in rule but is currently used to meet semester hour requirements since certificates are offered through higher education institutions. The experience-based option is a new standard intended to benefit individuals who are able to demonstrate competency in quality care practices without higher education, a solution to many potential barriers an individual may experience.
5 Star	Current education standards at the 6- and 7-point levels include semester hour completion, completion of degrees and work experience, remaining part of QRIS at this star level. The new option to count completion of all required ECE coursework for an AAS degree without full completion of degree is intended to be a benefit to individuals who are still completing a degree. For those with a degree, an option for coaching/mentoring has been added in lieu of work experience to support newly graduating individuals in programs that require degrees, either through facility policy or other child care rules. The experience-based option is a new standard intended to benefit individuals who are able to demonstrate competency in quality care practices without higher education, a solution to many potential barriers an individual may experience.

For Teachers

2 Star	Current education standards at the 2-point level include semester hour completion and work experience and remain part of QRIS at this star level.
3 Star	Current education standards at the 2-, 3- and 4-point levels include semester hour completion, the NC Early Childhood Credential and work experience and remain part of QRIS at this star level. The experience-based option is a new standard intended to benefit individuals who are able to demonstrate competency in quality care practices without higher education, a solution to many potential barriers an individual may experience.
4 Star	Current education standards at the 5- and 6-point levels include the NC Early Childhood Credential, completion of semester hours and work experience and remains part of QRIS at this star level. The CDA is currently used as an equivalency to the NC Early Childhood Credential but will be included at this star level as a stand-alone item, a benefit to individuals since it is not paired with a work experience requirement. According to the CDA Council , the initial cost to obtain the CDA ranges from \$425 - \$500 and renewal costs range from \$125-\$150 every three years. The experience-based option is a new standard intended to benefit individuals who are able to demonstrate competency in quality care practices without higher education, a solution to many potential barriers an individual may experience.
5 Star	Current education standards at the 4-, 6- and 7-point levels include semester hour completion, the NC Early Childhood Credential and work experience, remaining part of QRIS at this star level. The CDA is currently used as an equivalency to the NC Early Childhood Credential but will be included at this star level as a stand-alone item, a benefit to individuals since it is not paired with a work experience requirement. According to the CDA Council , the initial cost to obtain the CDA ranges from \$425 - \$500 and renewal costs range from \$125-\$150 every three years. An option combining the NC Early Childhood Credential with some semester hours, some CEU's and work experience is an option to completing a higher number of semester hours, a benefit to individuals experiencing a barrier regarding higher education. The experience-based option is a new standard intended to benefit individuals who are able to demonstrate competency in quality care practices without higher education, a solution to many potential barriers an individual may experience.

For Administrators of Centers with a School Age Program

2 Star	Current education standards at the 2- and 3-point levels include semester hour completion, the NC Early Childhood Administration Credential and work experience, remaining part of QRIS at this star level. Completion of Basic School Age Care (BSAC) training remains an option to school age care work experience. School age care work experience has been converted from a number of hours to a number of months/years but remains an option to BSAC training. All of the above adjustments are not anticipated to result in fiscal impact. A new option to complete a CEU combined with less school age care work experience is included at this star level, a benefit to individuals experiencing a barrier regarding higher education.
3 Star	Current education standards at the 2-, 3- and 4-point levels include semester hour completion, the NC Early Childhood Administration Credential and work experience, remaining part of QRIS at this star level. Completion of Basic School Age Care (BSAC) training remains an option to school age care work experience. School age care work experience has been converted from a number of hours to a number of months/years but remains an option to BSAC training. All of the above adjustments are not anticipated to result in fiscal impact. Two reductions are proposed in revised options, including a reduction of semester hours by 6 and a reduction of 7 years of administrative work experience compared to current 4-point requirements, a benefit to individuals choosing those options. The reduction in work experience ensures that this individual star level requirement is more attainable. Based on NC Community Colleges estimate that tuition per credit hour is \$76, that could be an avoided cost of \$456 (6 hours x \$76/credit hour).
4 Star	Current education standards at the 2-, 3-, 4-, 5- and 6-point levels include the NC Early Childhood Administration Credential and work experience, remaining part of QRIS at this star level. Completion of Basic School Age Care (BSAC) training remains an option to school age care work experience. School age care work experience has been converted from a number of hours to a number of months/years

	resulting in a slight increase in experience but that remains an option to BSAC training. All of the above adjustments are not anticipated to result in fiscal impact. A reduction of semester hours by 6 is proposed in the revised options, paired with being enrolled in a degree program and allows individuals that are in pursuit of a degree to be acknowledged at a higher star level for QRIS. Based on NC Community Colleges estimate that tuition per credit hour is \$76, that could be a cost savings of \$456. In addition, an individual with a Level I NC Early Childhood Administration Credential has the option of meeting a 4 star level requirement, a benefit to facilities when employing administrators.
5 Star	Current education standards at the 5-, 6- and 7-point levels include the NC Early Childhood Administration Credential and work experience, remaining part of QRIS at this star level. Completion of Basic School Age Care (BSAC) training remains an option to school age care work experience. School age care work experience has been converted from a number of hours to a number of months/years resulting in a slight increase in experience but that remains an option to BSAC training. All of the above adjustments are not anticipated to result in fiscal impact. An option for an individual with a Level II NC Early Childhood Administration Credential, who has semester hours and is enrolled in a degree program is proposed, allowing individuals that are in pursuit of a degree to be acknowledged at a higher star level for QRIS and resulting in a benefit to facilities when employing administrators.

For Administrators of a School Age Only Program

2 Star	Current education standards at the 2-, 3- and 4-point levels include enrollment in semester hours, the NC Early Childhood Administration Credential and work experience, remaining part of QRIS at this star level. School age care work experience has been converted from a number of hours to a number of months/years and is an increase of 2 months but is paired with enrollment in the NC Early Childhood Administration Credential as an intentional balance of requirements for that option. Typically, a school age only program operates for three hours each day. The increase in experience at an average wage of \$21.00 per hour x 15 hours = \$315 per week. Considering 8 weeks as equal to 2 months x \$315 = \$2,520 is the estimated cost associated with this increase in experience requirements. Average wage for administrators is based on information in " Working in Early Care and Education in NC, 2023 Workforce Study, Child Care Services Association ".
3 Star	Current education standards at the 2-, 3- and 4-point levels include the NC Early Childhood Administration Credential and work experience, remaining part of QRIS at this star level. School age care work experience has been converted from a number of hours to a number of months/years and is an increase of 3 months for one option and comparable to current requirement for the other option. Typically, a school age only program operates for three hours each day. The increase in experience at an average wage of \$21.00 per hour x 15 hours = \$315 per week. Considering 12 weeks as equal to 3 months x \$315 = \$3,780 is the estimated cost associated with this increase in experience requirements. Average wage for administrators is based on information in " Working in Early Care and Education in NC, 2023 Workforce Study, Child Care Services Association ". The addition of Basic School Age Care (BSAC) training is included in the option with less experience as an intentional balance of requirements for that option and is estimated to cost the individual \$25 based on the Child Care Resources, Inc. training catalog . Overall, the fiscal impact could vary depending upon the individual's choice.
4 Star	Current education standards at the 2-, 3-, 4-, 5- and 6-point levels include the NC Early Childhood Administration Credential and work experience, remaining part of QRIS at this star level. School age care work experience has been converted from a number of hours to a number of months/years resulting in no significant changes. All of the above adjustments are not anticipated to result in fiscal impact. In revised options, an individual with a Level I NC Early Childhood Administration Credential has the option of meeting a 4-star level requirement, a benefit to facilities when employing administrators.
5 Star	Current education standards at the 5-, 6- and 7-point levels include the NC Early Childhood Administration Credential and work experience, remaining part of QRIS at this star level. Completion of Basic School Age Care (BSAC) training was paired with work experience and a Level II NC Early Childhood Administration Credential as an intentional balance of requirements for that option, a benefit to facilities when employing administrators. The highest current education standard remains part of QRIS at

	this star level.
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For Program Coordinators

2 Star	Current education standards at the 2- and 3-point levels include enrollment in semester hours and work experience, remaining part of QRIS at this star level. School age care work experience has been converted from a number of hours to a number of months/years and is an increase of 3 months for one option but is an option to enrollment in semester hours which is a current requirement. In many facilities the program coordinator is a dual role with them also serving as the facility administrator. The calculations here are representative of a stand-alone school age program. For persons serving in a dual role, the cost is captured within the administrator costs. Typically, a school age only program operates for three hours each day. The increase in experience at an average wage of \$14.20 per hour x 15 hours = \$213 per week. Considering 12 weeks as equal to 3 months x \$213 = \$2,556 is the estimated cost associated with this increase in experience requirements. Average wage for program coordinators is based on an \$14.20 average hourly wage using Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov). The cost of 3 semester hours at NC Community Colleges with tuition at \$76 per credit hour is estimated to cost \$228. Overall, the fiscal impact could vary depending upon the individual's choice.
3 Star	Current education standards at the 3 and 4 point levels includes completion of semester hours and work experience, remaining part of QRIS at this star level. School age care work experience has been converted from a number of hours to a number of months/years and is an average increase of 2 months when paired with coursework and an increase of 6 months when not paired with coursework. In many facilities the program coordinator is a dual role with them also serving as the facility administrator. The calculations here are representative of a stand-alone school age program. For persons serving in a dual role, the cost is captured within the administrator costs. Typically, a school age only program operates for three hours each day. The increase in experience at an average wage of \$14.20 per hour x 15 hours = \$213 per week. Considering 8 weeks as equal to 2 months x \$213 = \$1,704 and 24 weeks as equal to 6 months = \$5,112 are the estimated cost ranges associated with this increase in experience requirements. Average wage for program coordinators is based on an \$14.20 average hourly wage using Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov).
4 Star	Current education standards at the 5-point level includes completion of semester hours and work experience, remaining part of QRIS at this star level. School age care work experience has been converted from a number of hours to a number of months/years resulting in an increase of 5 months but is an option to semester hours, resulting in no significant fiscal impact. Two options were added to this star level for individuals who may have an associate's degree in early childhood education, child development, a school age related field or any other major. The current requirements do not specifically acknowledge associate's degrees for this position and these options create a place in QRIS for those individuals.
5 Star	Current education standards at the 6- and 7-point levels include the completion of bachelor's degrees, completion of semester hours and work experience, remaining part of QRIS at this star level. There is no anticipated fiscal impact for this star level.

For Group Leaders

2 Star	Current education standards at the 2-point level remain in place at this star level based on completion of Basic School Age Care (BSAC) training.
3 Star	Current education standards for all point levels require completion of Basic School Age Care (BSAC) training and this remains in place at this star level. School age care work experience has been converted from a number of hours to a number of months/years resulting in an increase of 2 months but is an option to completion of 0.5 CEU. Typically, a school age only program operates for three hours each day. Estimating that group leaders are paid a minimum wage of \$7.25 per hour x 15 hours = \$108.75. Considering 8 weeks as equal to 2 months x \$108.75 = \$870 is the estimated cost associated with this increase in experience requirements. Minimum wage is based on US Department of Labor Statistics for NC . To complete 0.5 CEU, an individual is estimated to pay approximately \$0 through Zero To Three to

	\$36 based CEU cost information from the University of North Carolina at Wilmington . Overall, the fiscal impact could vary depending upon the individual’s choice.
4 Star	Current education standards for all point levels require completion of Basic School Age Care (BSAC) training and this remains in place at this star level. For one option, a new requirement of 1.0 CEU includes an estimated cost of \$0 through Zero To Three to approximately \$72 to \$92 per CEU credit, based on information from the University of North Carolina at Wilmington is paired with BSAC. For another option, being enrolled in 2 semester hours is an option to completion of BSAC if is not yet required based on minimum licensing standards since semester hours compare to or exceed the BSAC requirement. NC Community Colleges estimate that tuition per credit hour is \$76 x 2 semester hours = \$152. Another option is comparable to current 5- and 6-point requirements regarding BSAC combined with school age care work experience. Overall, the fiscal impact could vary depending upon the individual’s choice, ranging from no impact to a potential impact of \$152.
5 Star	Current education standards for all point levels require completion of Basic School Age Care (BSAC) training and this remains in place at this star level. At the current 3-, 4-, 5-, 6- and 7-point levels, enrollment in or completion of semester hours is required and remains in place for this star level. Current 7 point requirements require that all group leaders be at least 18 years of age, remaining a requirement at this star level.

Competency Evaluation

The use of competency evaluations is a new option in education standards for individuals who are lead teachers, teachers and family child care home operators that have not completed higher education. Since these individuals are not in the Division’s Workforce system, the specific impact is difficult to estimate until the option is available in rule. According to “[Working in Early Care and Education in NC, 2023 Workforce Study, Child Care Services Association](#), (Table 4. Regarding Education of the ECE Workforce)” it is estimated that approximately 4% of lead teachers, 12% of assistant teachers and 15% of FCCH operators may have completed only their High School degree. It is those individuals who may find a benefit in this new education standards option.

It is estimated to take an individual approximately 20-40 hours to prepare an initial portfolio. Based on an \$14.20 average hourly wage using Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov) x 20 hours = \$284 or x 40 hours = \$568, is the estimated cost range per individual for implementation. Every three years, those same individuals would be required to provide an updated portfolio with an estimated 5 hours for preparation x \$14.20 = \$71, for a three-year renewal cost.

Pathway 1

This licensure pathway is most similar to current QRIS and was included in Session Law 2024-34 as one of three licensure pathways to earn a Two through Five Star Rated License. Familiarity with this type of QRIS may be appealing to both child care centers and FCCH operators based on their years of experience in preparing for program assessment activities and may be a reason for a facility to choose this licensure pathway. For new child care facilities, this licensure pathway offers a cost-effective way to earn a Star Rated License and learn more about quality practices.

Summary of QRIS Standards set forth in NCGS 110-90(4) and revised in Session Law 2024-34 that are applicable to Pathway #1.

	2 Star	3 Star	4 Star	5 Star
Program Standards				
75% Compliance History Score*	✓	✓	✓	✓

Enhanced Ratio for Centers*	optional	optional	optional	✓
Reduced, Enhanced Ratio for Centers*	X	X	X	X
Enhanced Space for Centers*	optional	optional	optional	optional
Enrollment Restriction for FCCH*	X	X	X	X
Continuous Quality Improvement	✓	✓	✓	✓
Family and Community Engagement	✓	✓	✓	✓
Environmental Rating Scale Evaluations*	✓	✓	✓	✓
Curriculum*	X	X	✓	✓
Child Observation and Assessment	X	X	X	X
Staff coaching or mentoring	X	X	X	X
Accreditation	X	X	X	X
Acknowledgement of quality initiatives or specialties	optional	optional	optional	optional
Education Standards (requirements vary per employment position)				
Staff Education*	✓	✓	✓	✓
Early Childhood and Child Development Coursework*	✓	✓	✓	✓
Early Childhood Education Certificates*	✓	✓	✓	✓
Child Development Associate Credentials*	✓	✓	✓	✓
Associate or Bachelor's Degrees*	✓	✓	✓	✓
Continuous Quality Improvement Standards for Staff	✓	✓	✓	✓
Continuing Education Units (CEU's)	✓	✓	✓	✓
Early Childhood Education Competency Evaluations	✓	✓	✓	✓
Work Experience in Child Care*	✓	✓	✓	✓
Coaching or Mentoring	✓	✓	✓	✓
Educations Standards within an Accreditation Award	X	X	X	X

*Indicates current QRIS standard.

Pathway 1 - Program Assessment

Session Law 2024-34 specified that an updated version of the current program assessment tool (Environment Rating Scale) be implemented by February 1, 2025. The costs associated with that change are directly attributable to statutory requirements and include training for child care operators who are interested in earning a Star Rated License through this licensure pathway. That training is offered at no cost to operators through the [NC Rated License Assessment Project](#) and implementation has been initiated to ensure compliance with statutory requirements.

Child care facilities that choose this pathway will be required to have an external program assessment using the Infant/Toddler (ITERS-3), Early Childhood (ECERS-3), Family Child Care (FCCERS-3) and School Age Care (SACERS-U) Environment Rating Scales depending on the setting and the ages of children served. For child care centers that serve all age groups, ITERS-3, ECERS-3, and SACERS-U will be used. For FCCH and Centers Located in a Residence, FCCERS-3 will be used. Program assessment is offered at no cost to child care operators that choose this licensure pathway.

Pathway 1 - Curriculum

For this pathway, only Four and Five Star Rated Licensed facilities are required to implement curriculum in classrooms that serve four year olds. This is a current requirement and does not result in any impact to facilities that are already serving four year olds.

In addition to the above, QRIS standards applicable to this pathway also include staff/child ratio, space, continuous quality improvement, family and community engagement and education standards as previously described.

Pathway 2

This is a new licensure pathway that was one of three options included in Session Law 2024-34 to earn a Two through Five Star Rated License. It will be difficult to estimate all associated costs since it has not been previously implemented in NC. Child care facilities may select this licensure pathway if they are interested in demonstrating quality practices in a new way, if program assessment presents a barrier for the children being served or the program philosophy, and as a way to alleviate communicated perception of stress for facilities and staff participating in the program assessment process as part of the current QRIS system.

Summary of QRIS Standards set forth in NCGS 110-90(4) and revised in Session Law 2024-34 that are applicable to Pathway #2.

	2 Star	3 Star	4 Star	5 Star
Program Standards				
75% Compliance History Score*	✓	✓	✓	✓
Enhanced Ratio for Centers*	optional	optional	✓	X
Reduced, Enhanced Ratio for Centers*	X	X	X	✓
Enhanced Space for Centers*	optional	optional	optional	optional
Enrollment Restriction for FCCH*	X	X	X	✓
Continuous Quality Improvement	✓	✓	✓	✓
Family and Community Engagement	✓	✓	✓	✓
Environmental Rating Scale Evaluations*	X	X	X	X
Curriculum*	✓	✓	✓	✓
Child Observation and Assessment	X	✓	✓	✓
Staff coaching or mentoring	X	✓	✓	✓
Accreditation	X	X	X	X
Acknowledgement of quality initiatives or specialties	optional	optional	optional	optional
Education Standards (requirements vary per employment position)				
Staff Education*	✓	✓	✓	✓
Early Childhood and Child Development Coursework*	✓	✓	✓	✓
Early Childhood Education Certificates*	✓	✓	✓	✓
Child Development Associate Credentials*	✓	✓	✓	✓
Associate or Bachelor's Degrees*	✓	✓	✓	✓
Continuous Quality Improvement Standards for Staff	✓	✓	✓	✓
Continuing Education Units (CEU's)	✓	✓	✓	✓
Early Childhood Education Competency Evaluations	✓	✓	✓	✓
Work Experience in Child Care*	✓	✓	✓	✓
Coaching or Mentoring	✓	✓	✓	✓
Educations Standards within an Accreditation Award	X	X	X	X

*Indicates current QRIS standard.

Pathway 2 - Curriculum

For this pathway, all child care facilities are required to implement curriculum. In our current system, this requirement only applies to Four and Five Star Rated Licensed facilities that serve 4 year olds. This pathway expands on the use of curriculum to include all ages and star levels.

There are 56 curricula editions that are currently approved by the Child Care Commission. This includes curricula appropriate for ages Birth – 5 years of age and for child care centers and family child care home settings. The cost for each child care operator to purchase a curriculum will vary depending on their choice. Approximate costs are as follows:

- 2 curricula are free and are appropriate for age ranges of Birth – 5 years of age
- 4 curricula offer monthly subscription fees ranging from approximately \$24.95 - \$557.
- 2 curricula offer monthly subscription fees of \$33 with an annual fee of \$299.
- 23 curricula editions include costs that range from approximately \$199.95 - \$4,200
- 25 curricula are specific to franchise programs and included in the franchise costs.

Pathway 2 - Child Observation and Formative Assessments

Child observations are a new requirement for child care facilities, beginning at the Three Star Rated License level. At the Four and Five Star Rated License levels, the use of an approved formative assessment is required. There are already 15 approved formative assessment tools approved by the Child Care Commission since this is a current requirement for NC Pre-Kindergarten programs. Seven of the approved formative assessment tools are required to be used in conjunction with an associated curriculum. The cost of formative assessments has not been historically captured as part of the approval process and information on assessment websites is limited. The overall cost for each child care operator to purchase a formative assessment tool will vary depending on their choice. There are four formative assessment toolkits that range from approximately \$240-\$365.

- Sharing the results of the formative assessments with families is an annual requirement at the Four Star Rated License level and could be implemented at no additional cost during the family conference required by Family and Community Engagement foundational practices.
- At the Five Star Rated License level, sharing of formative assessment results is required twice annually. If an operator has selected the communication option from Family and Community Engagement standards that requires two annual family conferences, this could be implemented at no additional cost. If that option was not selected, one conference requirement would be implemented through Family and Community Engagement foundational practices and the second conference would result in an additional cost. Using data from Family and Community Engagement standards, 1.5 hours is estimated per child enrolled for Lead Teachers or a FCCH operator to plan and conduct one family conference. It is estimated to cost \$21.30 per enrolled child, based on a \$14.20 average hourly wage using Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov). Some examples follow:
 1. For a FCCH operator that is licensed to care for a total of 8 children x \$21.30 = \$170.40 is the estimated cost for implementation of this requirement.
 2. For a child care center with 100 children in care x \$21.30 = \$2,130.00 is the estimated cost for implementation of this requirement.

Pathway 2 - Training and Coaching Options

To earn a Three through Five Star Rated License in this pathway, the center administrator, lead teachers and a FCCH operator must complete 5 hours of training, 0.5 continuing education unit (CEU) or 5 hours of coaching/mentoring annually. Some examples of cost estimates are as follow:

- Training hours are widely available in NC since on-going professional development is also a minimum licensing requirement. Rule specific training can be obtained at no cost to child care professionals using [DCDEE's Moodle](#). Numerous training organizations and individual trainers offer a variety of trainings, both in-person and virtual, for an average cost of \$10 per hour based on consultation with individual trainers and partner agencies. For 5 hours annually x \$10 per hour = \$50 per individual employed.
- Continuing Education Units (CEU's) are offered through a variety of sources and vary in the associated costs:
 - At the [University of North Carolina at Wilmington](#), CEU's are estimated to cost approximately \$72 to \$92 per CEU credit.

- Through [Child Care Resources, Inc](#), CEU’s are offered at an estimated \$15-\$25 per CEU credit.
- Through [Zero To Three](#), free CEU’s are offered.
- Through [Teach Me Professional Development](#), unlimited CEU’s are offered for \$95 per year. If choosing to pay per course, it is estimated to cost \$12 per CEU credit.

Overall, for an individual to obtain 0.5 CEU credit, estimated costs range from \$0 - \$92 depending on the resource selected.

- An individual could participate in coaching/mentoring with a peer who is employed at a similarly licensed facility and would include the cost of time necessary to complete the requirement.
 - For a center administrator being coached by a peer, it is estimated to cost \$21.00 x 2 individuals = \$41.00 x 5 hours = \$210.00 annually. Average wage for administrators is based on information in “[Working in Early Care and Education in NC, 2023 Workforce Study, Child Care Services Association](#)”.
 - For a FCCH operator or lead teacher being coached by a peer, it is estimated to cost \$14.20 x 2 individuals = \$28.40 x 5 hours = \$142 annually. Average wage for FCCH operators and lead teachers is based on Bureau of Labor Statistics for Child Care Workers in NC as of May 2023 (bls.gov).
 - Coaching/mentoring through a partner agency already occurs through technical assistance activities and would also fit into this pathway requirement.

In addition to the above, QRIS standards applicable to this pathway also include staff/child ratio, space, continuous quality improvement, family and community engagement and education standards as previously described.

Pathway 3

This is a new pathway for QRIS required by Session Law 2023-40 and implemented in July 2024 through Session Law 2024-34 which allowed child care facilities to use their current accreditation while QRIS rulemaking continues. At least 58 child care facilities have requested and received licenses based on current accreditation status at no additional cost to the facility, with a long-term reduction in costs since current licensure requirements regarding program assessment will no longer be required. This pathway is not an option for newly established facilities due to the time it takes to achieve accreditation status.

Summary of QRIS Standards set forth in NCGS 110-90(4) and revised in Session Law 2024-34 that are applicable to Pathway #3.

	2 Star	3 Star	4 Star	5 Star
Program Standards				
75% Compliance History Score*	✓	✓	✓	✓
Enhanced Ratio for Centers*	X	optional	X	optional
Reduced, Enhanced Ratio for Centers*	X	X	X	X
Enhanced Space for Centers*	X	X	X	X
Enrollment Restriction for FCCH*	X	X	X	X
Continuous Quality Improvement	X	X	X	X
Family and Community Engagement	X	X	X	X
Environmental Rating Scale Evaluations*	X	X	X	X
Curriculum*	X	X	X	X
Child Observation and Assessment	X	X	X	X
Staff coaching or mentoring	X	X	X	X
Accreditation	X	✓	✓	✓
Acknowledgement of quality initiatives or specialties	optional	optional	optional	optional

Education Standards (requirements vary per employment position)				
Staff Education*	X	X	✓	✓
Early Childhood and Child Development Coursework*	X	X	✓	✓
Early Childhood Education Certificates*	X	X	✓	✓
Child Development Associate Credentials*	X	X	✓	✓
Associate or Bachelor's Degrees*	X	X	✓	✓
Continuous Quality Improvement Standards for Staff	X	X	✓	✓
Continuing Education Units (CEU's)	X	X	✓	✓
Early Childhood Education Competency Evaluations	X	X	✓	✓
Work Experience in Child Care*	X	X	✓	✓
Coaching or Mentoring	X	X	✓	✓
Educations Standards within an Accreditation Award	X	✓	✓	✓

*Indicates current QRIS standard.

Pathway 3 - Accreditation

For facilities who want to become accredited, the fiscal impact would depend on the accreditation chosen. In addition, from application to accreditation award, the process is lengthy, taking anywhere from six months to two and a half years to complete all components of accreditation. The number of child care facilities that are in the process of becoming accredited or who may be interested in earning accreditation in the future is undetermined.

The star rating designation assigned to each accreditation organization was based on evaluation of accreditation standards. Program standards such as curriculum, continuous quality improvement and family engagement are incorporated into all accreditation standards and therefore, not required separately for accredited facilities to earn a Three or Five Star Rated License. This is a benefit for accredited facilities, resulting in less duplication of standards that must be demonstrated.

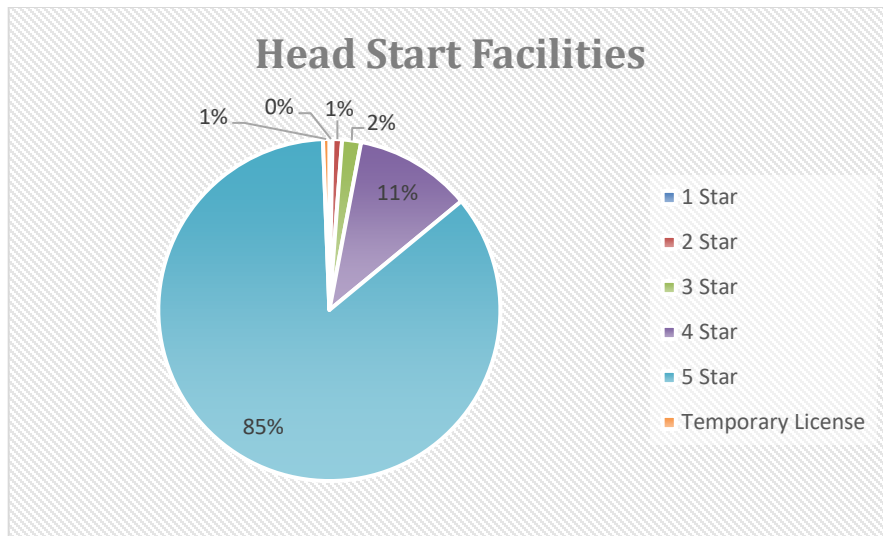
In rulemaking, the Commission proposes that when an accreditation award leads directly to a Three Star Rated License, the ability to increase to a Four or Five Star Rated License would be based on evaluation of education standards. This aligns with the requirements of Session Law 2024-34 regarding an increase in star level for these facilities. All child care facilities currently submit education information to the Division of Child Development and Early Education for evaluation so there would not be an additional cost incurred. Depending on the qualifications of the staff, there may be additional needs regarding coursework, experience, training or competency evaluations but that is difficult to estimate.

- The National Association for the Education of Young Children (NAEYC) has accredited approximately 58 facilities in NC. Of those, 44 facilities have already earned a Five Star Rated License. The remaining 14 facilities may be eligible to increase to a Five Star Rated License if they choose this licensure pathway. Overall, a facility that is interested in becoming accredited through NAEYC can expect to pay a minimum of \$5,075-\$6,450 for a five-year accreditation period. This accreditation is for child care centers.
- The National Accreditation Commission for Early Care and Education Program (NAC) has accredited approximately 14 facilities in NC. Of those, 5 facilities have already earned a Five Star Rated License. The remaining 9 facilities may be eligible to increase to a Five Star Rated License if they choose this licensure pathway. Overall, a facility that is interested in becoming accredited through NAC can expect to pay a minimum of \$2,200-\$5,495 for a four-year accreditation period, depending on the licensed capacity of the facility. This accreditation is for child care centers only.
- COGNIA has two types of accreditations that would apply to child care settings in NC. Overall, a facility that is interested in becoming accredited through COGNIA can expect to pay a minimum of \$9,600 for a six-year accreditation period.

- The first type of COGNIA accreditation requires accreditation with early learning standards and is set forth in Session Law 2024-34. This type of accreditation has been achieved by approximately 33 facilities in NC. Of those, 12 facilities have already earned a Five Star Rated License. The remaining 21 facilities may be eligible to increase to a Five Star Rated License if they choose this licensure pathway. This accreditation is for child care centers only.
- The second type of COGNIA accreditation requires accreditation with extended learning standards and is applicable to school age care facilities. There are no facilities in NC that are currently accredited with extended learning standards. This national early childhood education accreditation organization is already approved through Session Law 2023-40 and this Rule specifies which accreditation standards that are applicable to school age facilities.
- The National Early Childhood Program Accreditation (NECPA) has one accredited facility in NC. That facility has already earned a Three Star Rated License, matching the designated star level for this accreditation. If that facility chose this pathway, the long-term benefit would be elimination of duplicative requirements. Overall, a facility that is interested in becoming accredited through NECPA can expect to pay a minimum of \$2,395 to \$2,860 for a three-year accreditation period. This accreditation is for child care centers, Family Child Care Homes and for school-age programs that operate as a component of a licensed child care program.
- The National Association for Family Child Care (NAFCC) has accredited approximately 4 facilities in NC. Two of those facilities have already earned a Five Star Rated License, higher than the designated star level for this accreditation. If those Five Star Rated facilities chose this pathway and meet additional education evaluation requirements to maintain their Five Star Rated License, the long-term benefit would be elimination of duplicative requirements and a reduction of costs in preparing for program assessment. The other two facilities noted as accredited have not been verified as licensed family child care homes. Overall, a facility that is interested in becoming accredited through NAFCC can expect to pay a minimum of \$990 for a three-year accreditation period. This accreditation is for Family Child Care Homes only.
- The American Montessori Society (AMS) has accredited 5 facilities in NC. These facilities noted as accredited have not been verified as licensed child care facilities. If licensed, they could achieve a Three Star Rated License through verification of accreditation. Overall, a facility that is interested in becoming accredited through AMS can expect to pay a minimum of \$6,454 for a seven-year accreditation period. This accreditation is for Montessori facilities only.
- The International Montessori Council (IMC) has no accredited facilities in NC. Overall, a facility that is interested in becoming accredited through IMC can expect to pay a minimum of \$500 but other fees may be incurred related to on-site visits during the five-year accreditation period. This accreditation is for Montessori facilities that have been in operation for three or more years.

Pathway 3 - Head Start

As of October 2024, there were 335 Head Start facilities in NC. Of those, 286 had already earned a Five Star Rated License. The remaining 49 facilities may be eligible to increase to a Five Star Rated License upon adoption of these rules. This option will be available to Head Start facilities upon adoption of QRIS rules as was allowed through Session Law 2024-34. This is a benefit to those programs, eliminating duplicative quality standards.



Pathway 3 - Quality Points of Distinction (QPD)

Quality Points of Distinction rules specify opportunities to acknowledge participation in quality initiatives and practices that are not otherwise captured in QRIS requirements. These opportunities align with Session Law 2024-34, Section 8(g) that states “The Department shall provide licensed facilities with a rating of two to five stars with an opportunity to earn recognition or acknowledgement for voluntary participation in other quality initiatives or specialties, including educational and programmatic options, that are implemented in addition to quality rating improvement system (QRIS) standards.”

As proposed, this acknowledgement will accompany a Two through Five Star Rated License if an operator chooses to meet at least one option in each Quality Point of Distinction but will not have any impact on earning a Star Rated License. An operator may choose to earn none, some or all of the Quality Points of Distinction. These Quality Point of Distinction options may be useful for child care facilities in marketing their program while providing information to parents about practices that may be important in their selection of child care for their family. However, compliance with this rule is voluntary for all child care facilities since it does not have any impact on earning a Star Rated License, resulting in no required fiscal impact to child care facilities.

A description of options for each Quality Point of Distinction (QPD) is noted in the table below:

QPD	Options and Impact Analysis
Education	Options 1-5 are comparable to current Quality Point Options in 10A NCAC 09 .2829(1). This is a benefit to programs that are already meeting one of these Quality Point Options, since they can earn this QPD without incurring any costs. For programs that are meeting this requirement and may experience workforce challenges, it is no longer necessary to maintain this standard for their Star Rated License. Option 6-8 provide opportunities for facilities that employ a high number of teachers with a Child Development Associate (CDA), support their employees by participating in existing educational initiatives and encourage participation in the NC Early Care and Education Professional Certification Scale. These options support education standards and professionalism in the early childhood education field.
Professional Development	Options 1 is comparable to a current Quality Point Option in 10A NCAC 09 .2829(1). This is a benefit to programs that are already meeting that Quality Point Option, since they can earn this QPD without incurring any costs. For programs that are meeting this requirement and may experience challenges in meeting the requirement, it is no longer

	<p>necessary to maintain this standard for their Star Rated License.</p> <p>Options 2-8 provide opportunities that acknowledge the importance of training and trainers, supports and compensation for staff in completing professional development activities and promotion of professionalism in the early childhood education field.</p>
Longevity and Experience	<p>Options 1 and 2 provide opportunities that acknowledge experience in child care, compliance history and long-term quality practices. This recommendation was in response to community outreach activities that requested recognition of longevity and experience.</p> <p>Options 3-7 are comparable to current Quality Point Options in 10A NCAC 09 .2829(1). This is a benefit to programs that are already meeting one of these Quality Point Options, since they can earn this QPD without incurring any costs. For programs that are meeting this requirement and may experience challenges in meeting the requirement, it is no longer necessary to maintain this standard for their Star Rated License.</p>
Staff Supports and Benefits	<p>Option 1 is comparable to a current Quality Point option in 10A NCAC 09 .2829(2). This is a benefit to programs that are already meeting this Quality Point Option, since they can earn this QPD without incurring any costs. For programs that are meeting this requirement and may experience challenges in meeting the requirement, it is no longer necessary to maintain this standard for their Star Rated License.</p> <p>Options 2-4 provide opportunities for teachers in planning, education and mental health, benefits that support the workforce and their ability to effectively care for children.</p>
Program Features	<p>Option 1 is comparable to a current Quality Point option in 10A NCAC 09 .2829(2). This is a benefit to programs that are already meeting this Quality Point Option, since they can earn this QPD without incurring any costs. For programs that are meeting this requirement and may experience challenges in meeting the requirement, it is no longer necessary to maintain this standard for their Star Rated License.</p> <p>Options 2-6 acknowledge participation in quality practices that are not part of an operator's selected licensure pathway.</p>
Health and Wellness	<p>All eight options are intended to acknowledge participation in quality practices and initiatives that contribute to the health and wellness of children, staff or families in some way.</p>
Language Concentration	<p>All three options acknowledge use of languages other than English, either in daily routines or as part of a bilingual or immersion program.</p>
Culinary Emphasis	<p>All three options acknowledge activities that relate to the food and nutrition practices of a program.</p>
Ratio, Group Size and Enrollment Practices	<p>Both of the options are comparable to current Quality Point options in 10A NCAC 09 .2829(2). This is a benefit to programs that are already meeting one of these Quality Point Options, since they can earn this QPD without incurring any costs. For programs that are meeting this requirement and may experience challenges in meeting the requirement, it is no longer necessary to maintain this standard for their Star Rated License.</p>
Supplemental Environments	<p>This is a QPD issued based on providing supplemental environments that support a child's development.</p>
NC Breastfeeding-Friendly Child Care Designation Program	<p>This QPD is issued based on facility completion of this quality initiative.</p>
Military Child Care in Your Neighborhood-PLUS	<p>This QPD is issued based on facility participation in this child care fee assistance program for military families.</p>

Impacts to Children and Families

Historically, the Two through Five Star Rated License was intended to assist families when choosing a child care facility that would meet their needs. The revisions to licensure pathway requirements have the potential to allow more availability for child care services as described above regarding space, staff/child ratio and enrollment of children. The addition of family and community engagement standards will offer more opportunities for their participation in a child care facility's program and events. As these standards are optional, families would not incur a fiscal impact, only potential for positive impact in the relationship that they can build with caregiving staff. Implementation of these rules will be accompanied by consumer education to ensure awareness and understanding of our QRIS system which will result in more information and choices for parents in searching for child care that is related to their values and preferences.

A high quality early childhood care and education system is known to provide numerous, significant benefits for children both in the near term and over the course of their lives. Research on child development -- like that done by the Center on the Developing Child at Harvard University -- finds that early experiences affect the development of [brain architecture](#), which provides the [foundation for all future learning, behavior, and health](#). In addition, the resources of their "[What Is Early Childhood Development? A Guide to the Science \(ECD 1.0\)](#)" introduces the science that connects early experiences from birth (and even before birth) to future learning capacity, behaviors, and physical and mental health.

[Raise North Carolina](#) is a public education campaign to build appreciation and support for North Carolina's early care and learning network and the teachers who serve children, families and North Carolina. It describes that "better school and life outcomes for children depend on quality early childhood teachers who have the skills to ensure that children, supported by their families, have the early experiences they need for healthy development and a strong foundation for learning. Brain development that happens in the first five years of life sets the stage for future health and learning. Quality early childhood education programs implement practices that support each individual child's physical, cognitive and emotional growth and development."

In [Children's Learning and Development Benefits from High-Quality Early Care and Education: A Summary of the Evidence](#) from the Office of Planning, Research, and Evaluation of the Administration for Children and Families of the U.S. Department of Health and Human Services, the authors summarize the research evidence on how high-quality early childhood education benefits all young children. It was noted that participation in early childhood education helps children develop skills that will benefit them throughout their life and described how high quality programs go beyond basic requirements to build relationships to impact children's development. Stimulating environments, caregiver interactions, developmentally appropriate curricula, and on-going training for educators were some of the factors described that resulted in cognitive, social and behavioral development.

Impacts to Partner Agencies

QRIS partners include agencies such as the NC Rated License Assessment Project, Child Care Resource and Referral agencies and Smart Start. Implementation of proposed QRIS rules will require a shift in the focus of existing work of these partner agencies regarding QRIS requirements, training, continuing education unit (CEU) opportunities, coaching/mentoring, and technical assistance activities. There are current contracts with these partner agencies that include deliverables regarding assessment of quality indicators and participation in quality initiatives that support our early childhood education system. However, the proposed QRIS rules are expected to create an increased demand for those activities. The rate of increase is undetermined since it will depend on choices selected by individual child care facilities to earn their Star Rated License.

Session Law 2024-34 specified that an updated version of the current program assessment tool (Environment Rating Scale) be implemented by February 1, 2025. The costs associated with that change are directly attributable to statutory requirements and include training for Division staff, child care operators and technical

assistance specialists in partner agencies. That training is offered at no additional cost to all necessary parties through the existing contract with the [NC Rated License Assessment Project](#) and implementation has been initiated to ensure compliance with statutory requirements.

This impact analysis has possible impacts that are uncertain based on the variables described above, including indirect impacts and benefits. These rules will create indirect impacts by requiring existing opportunities such as CEU's and may result in an increased demand based on individual choices.

Alternatives

The Child Care Commission acknowledges the importance of choice in demonstrating quality practices so that all participants in the early care and learning system see a place for themselves, the families they serve and the facilities that choose to meet quality standards. "Pathways to the Stars: Where Quality and Choice Meet" is a collaborative effort between the Child Care Commission, the Division of Child Development and Early Education and all stakeholders who participated in QRIS Modernization.

Although the magnitude of benefits to be gained by modernizing QRIS is uncertain and unquantifiable, and a significant portion of any benefits would be attributable to the session law rather than these proposed rules, it is possible that the aggregative impact could meet the definition of "substantial economic impact" in NCGS 150B-21.4(b1). As such, the Commission is including the following descriptions of two alternatives that were considered:

1. **Program Assessment** – Stakeholder feedback indicated the need for an updated or different program assessment tool, particularly regarding language and interactions as a quality practice. Research on potential program assessment tools indicated that implementation costs for a new program assessment tool could be significant and include system-wide impacts for the state, partner agencies and child care facilities. Obtaining necessary certifications and materials for a new program assessment tool, development of reliability practices, preparation and delivery of training for all stakeholders and potential costs of preparation at the facility level for new measures of quality were factors that were considered. QRIS is already supported by a partner agency with 25 years of experience, training and reliability with the current program assessment tool. The Commission determined that transitioning to a newer version of a familiar program assessment tool that includes language and interaction measures would achieve similar outcomes regarding quality care practices with less cost to the system and all stakeholders. For these reasons, the alternative to adopt a totally new program assessment tool was rejected.
2. **Competency Evaluation** – The option to demonstrate knowledge, skills and abilities through a competency evaluation provides a much-needed alternative to higher education for meeting the QRIS education standard. The session law requires the Commission to include competency evaluations as an option for evaluating education levels of staff. The Commission has some discretion to determine how a competency evaluation fits within the overall framework and offers this as an option for lead teachers, assistant teachers and FCCH operators. During the rule development process, the Commission considered using established competency standards published by national organizations but this alternative was rejected in favor of focusing on knowledge, skills, and abilities related to the [North Carolina Foundations for Early Learning and Development](#) (NCFELD), a familiar publication used in minimum licensing standards related to activity planning. The rules related to competency evaluations align with an existing Preschool Development Grant (PDG) activity and will result in a custom set of competency standards for NC without the need for additional funding to purchase other competency standards, reducing the overall impact to the state.

Conclusion

In summary, the Child Care Commission was legislatively mandated to enact QRIS reform. The Commission's work and recommendations reflect stakeholder engagement which resulted in a new framework for QRIS in NC being set forth in Session Law 2024-34. The purpose of QRIS Modernization has been to reduce the child care gap through changes that add flexibility for facility operators and early childhood education professionals, reducing duplicative standards where possible and creating pathways to increase the availability of slots for child care. The proposed QRIS standards continue to place an emphasis promoting high quality practices for children and families. Stakeholder engagement, research regarding national trends in QRIS, and NC's own 24 years of experience under the current QRIS system continues to be reflected in the proposed rules which support the framework of that session law.

The Child Care Commission acknowledges the importance of choice in demonstrating quality practices so that all participants in the early care and learning system see a place for themselves, the families they serve and the facilities that choose to meet quality standards. As the rulemaking process continues into a public comment period, the Child Care Commission remains committed to meeting the needs of our system through careful review and analysis of feedback from all interested parties.

Attachment of Rules

1 **SECTION .3200** **PATHWAYS TO THE STARS: WHERE QUALITY AND CHOICE MEET (TWO**
2 **THROUGH FIVE STAR RATED LICENSES)**
3

4 **10A NCAC 09 .3201 is proposed for amendment as follows:**

5 **10A NCAC 09 .3201** **SCOPE**

6 (a) This Section shall apply to all child care facilities that have met requirements for a one-star rated license and
7 choose to apply for and earn a rated license of two-stars or higher.

8 (b) A child care facility shall be eligible for a rated license of two through five-stars upon application and assessment
9 of compliance with the requirements of this Section.

10 (c) No requirement in any component of a two-star or higher rating shall be less than the requirements for a one-star
11 rating described in G.S. 110-91 and this Chapter. Prior to issuance of an initial two through five-star rating, all
12 requirements in G.S. 110-91 and this Chapter shall be met at the time the program is assessed for a higher rating. The
13 requirements for a rated license of two-stars or higher shall be in addition to the standards found in G.S. 110-91 and
14 this Chapter.

15 (d) Nothing in this Section shall preclude or interfere with the issuance of an administrative action as allowed by G.S.
16 110, Article 7 and this Chapter.

17
18 *History Note:* Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; 42 USCS 9858e; 45 CFR 98.45;
19 Eff.
20

21 **10A NCAC 09 .3202 is proposed for amendment as follows:**

22
23 **10A NCAC 09 .3202** **APPLICATION FOR A TWO THROUGH FIVE STAR RATED LICENSE**

24 (a) After a licensed child care facility has demonstrated compliance with applicable child care requirements while
25 operating with a temporary license, as set forth in Rule .0403 and .1702 of this Chapter, the operator may apply for an
26 initial two through five-star rated license.

27 (b) The operator shall submit a completed application to the Division for a two through five-star rated license on the
28 form provided by the Division.

29 (c) An operator may select one of three licensure pathways in order to earn a two through five-star rated license. The
30 operator shall meet the requirements set forth in this Section for the star rating desired within the selected licensure
31 pathway. Requirements from licensure pathways may not be combined. The three licensure pathways are as follow:

32 (1) Program Assessment Pathway as set forth in Rules .3203 and .3204 of this Section;

33 (2) Classroom and Instructional Quality Pathway as set forth in Rules .3205 and .3206 of this Section; and

34 (3) Accreditation and Head Start Pathway as set forth in Rule .3207 of this Section.

35 (d) A Division representative shall assess the facility requesting a two through five-star rated license to determine if
36 all applicable requirements have been met to achieve the requested star rating. The assessment shall include a review
37 of Division records and site visits.

38 (e) Upon completion of the Division's assessment:

39 (1) If the assessment indicates all the applicable requirements to achieve the requested rating have been
40 met, the Division shall issue the rating.

41 (2) If the assessment indicates all the applicable requirements to achieve the requested rating have not
42 been met, the Division shall notify the operator of the requirements that were not met and the
43 requested two through five-star rating shall not be issued. The operator may:

44 (A) accept the rating for which the Division has found the operator to be eligible;

45 (B) withdraw the request and reapply when the identified requirements to achieve the requested
46 rating have been met; or

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

48
49 *History Note:* Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b); 42 USCS
50 9858e; 45 CFR 98.45;
51 Eff.
52

53 **10A NCAC 09 .3203 is proposed for amendment as follows:**

54
55 **10A NCAC 09 .3203** **PROGRAM ASSESSMENT PATHWAY FOR CHILD CARE CENTERS**

1 (a) This Rule shall apply to child care centers, including centers located in a residence, that choose to earn a two
2 through five-star rated license using the program assessment licensure pathway.

3 (b) As used in this Rule, “educators” shall mean teachers, group leaders, and administrative staff, including
4 directors, assistant directors, program coordinators, education coordinators, curriculum specialists, and other staff
5 that have responsibility for planning, caregiving, mentoring or training on-site in a child care center. Educators shall
6 meet the education standards of a position as set forth in Rules .3211, .3213, .3214, .3215, .3216 and .3218 of this
7 Section and work full-time. If a program operates less than 40 hours per week, full-time shall mean the hours the
8 program is in operation.

9 (c) As used in this Rule, “structured self-study” shall mean the process used to reflect on current teaching practices
10 and educational environments, and identify areas of strength, needs, and action steps required to achieve the
11 standards of the applicable program assessment tool(s) as set forth in (d) of this Rule, based on the age of children
12 served. A structured self-study shall be completed over a minimum of three consecutive months and include a self-
13 assessment using the appropriate program assessment tool and additional resources located at [insert weblink], a
14 written reflection of the self-assessment, including identification of goals for continuous quality improvement, and
15 documentation of the structured self-study using forms found on the Division’s website at
16 <https://ncchildcare.ncdhhs.gov/Provider/Provider-Documents-and-Forms>.

17 (d) Child care centers shall be evaluated using “Infant/Toddler Environment Rating Scale, Third Edition” (ITERS-
18 3), “Early Childhood Environment Rating Scale, Third Edition” (ECERS-3), and “School-Age Care Environment
19 Rating Scale, Updated Edition” (SACERS-U), based on the ages of children served. Centers located in a residence,
20 as described in Rule .0102 of this Chapter, shall be evaluated using “Family Child Care Environment Rating Scale,
21 Third Edition” (FCCERS-3). Alternatively, the Commission may approve additional program assessment tools that
22 meet the following criteria:

23 (1) the program assessment tool is research-based;

24 (2) the program assessment tool has demonstrated reliability and validity;

25 (3) the program assessment tool has been developed and validated for the intended population;

26 (4) the standards being evaluated by the program assessment tool are measurable;

27 (5) the program assessment tool is published or otherwise publicly available;

28 (6) the program assessment tool ~~considers the needs of children~~ assesses and supports early childhood
29 environments in a way that is sensitive and responsive to the needs of all children and families from
30 culturally, linguistically, economically, and ability diverse backgrounds, ~~using asset-based and inclusive~~
31 language; and

32 (7) the program assessment tool and training for its use has a process to reduce bias, ~~of assessors.~~

33 Upon approval of additional program assessment tools, a child care center may choose which assessment tool they
34 utilize to earn a star rating in this licensure pathway, as long as their choice is applicable to the ages of children
35 served, the type of facility in operation, or other criteria specified by the Commission in its approval.

36 (e) For a child care center to earn a two-star rated license, the following requirements shall be met:

37 (1) The child care center shall meet either the enhanced ratio requirements set forth in Rule .3208 of this
38 Section or the enhanced space requirements set forth in Rule .3210 of this Section.

39 (2) At least 50% of lead teachers and at least 50% of educators shall meet the individual education
40 standards at the two star level, as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of
41 this Section, or higher.

42 (3) The child care center shall implement family and community engagement foundational practices set
43 forth in Rule .3219 of this Section.

44 (4) The child care center shall implement the continuous quality improvement standards set forth in Rule
45 .3221 of this Section.

46 (5) All administrators and lead teachers shall complete a structured self-study.

47 (f) For a child care center to earn a three-star rated license, the following requirements shall be met:

48 (1) The child care center shall meet either the enhanced ratio requirements set forth in Rule .3208 of this
49 Section or the enhanced space requirements set forth in Rule .3210 of this Section.

50 (2) At least 50% of lead teachers and at least 50% of educators shall meet the individual education
51 standards at the three star level, as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of
52 this Section, or higher.

53 (3) The child care center shall implement the family and community engagement standards set forth in Rule
54 .3219 of this Section for a three-star rated license.

55 (4) The child care center shall implement the continuous quality improvement standards set forth in Rule
56 .3221 of this Section.

1 (5) All administrators and lead teachers shall complete a structured self-study.

2 (6) The child care center shall request and complete an external program assessment and use the results of
3 the assessment in the continuous quality improvement plan set forth in Rule .3221 of this Section.

4 (g) For a child care center to earn a four-star rated license, the following requirements shall be met:

5 (1) The child care center shall meet either the enhanced ratio requirements set forth in Rule .3208 of this
6 Section or the enhanced space requirements set forth in Rule .3210 of this Section.

7 (2) At least 50% of lead teachers and at least 50% of educators shall meet the individual education
8 standards at the four star level, as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of
9 this Section, or higher.

10 (3) The child care center shall implement the family and community engagement standards set forth in Rule
11 .3219 of this Section for a four-star rated license.

12 (4) The child care center shall implement the continuous quality improvement standards set forth in Rule
13 .3221 of this Section.

14 (5) All administrators and lead teachers shall complete a structured self-study.

15 (6) The child care center shall request and complete an external program assessment:

16 (A) For any assessment that occurs prior to January 1, 2028, the child care center must earn an
17 average score of 3.5 or higher for its ITERS-3 and ECERS-3 classrooms and an average score of
18 4.0 or higher for its SACERS-U classrooms. When calculating an average score for ITERS-3 and
19 ECERS-3 or SACERS-U, the child care center may drop one classroom's assessment score, so
20 long as there is at least one additional classroom serving the same age children and that
21 classroom's score is included in the average score. A child care center using an alternative
22 approved program assessment tool shall earn a comparable assessment score based on the tool's
23 scoring scale, as determined by the Commission.

24 (B) For any assessment that occurs on or after January 1, 2028, a child care center using the
25 ITERS-3, ECERS-3, or SACERS-U assessments must earn an average score of 4.0 or higher by
26 averaging all classroom scores. The child care center may drop one classroom's assessment score,
27 so long as there is at least one additional classroom serving the same age children and that
28 classroom's score is included in the average score. A child care center using an alternative
29 approved program assessment tool shall earn a comparable score based on the tool's scoring scale,
30 as determined by the Commission.

31 (7) Child care centers that are licensed to serve four-year-old children shall implement a curriculum as
32 defined in Rule .0102(11) of this Chapter in any classroom serving four-year old children and older.

33 (h) For a child care center to earn a five-star rated license, the following requirements shall be met:

34 (1) The child care center shall meet the enhanced ratio requirements set forth in Rule .3208 of this Section.
35 Meeting the enhanced space requirements set forth in Rule .3210 of this Section is optional.

36 (2) At least 50% of all lead teachers and at least 50% of educators shall meet the individual education
37 standards at the five star level, as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of
38 this Section, or higher.

39 (3) The child care center shall implement the family and community engagement standards set forth in Rule
40 .3219 of this Section for a five-star rated license.

41 (4) The child care center shall implement the continuous quality improvement standards set forth in Rule
42 .3221 of this Section.

43 (5) All administrators and lead teachers shall complete a structured self-study.

44 (6) The child care center shall request and complete an external program assessment:

45 (A) For any assessment that occurs prior to January 1, 2028, the child care center must earn an
46 average score of 4.0 or higher for its ITERS-3 and ECERS-3 classrooms and an average score of
47 5.0 or higher for its SACERS-U classrooms. When calculating an average score for ITERS-3 and
48 ECERS-3 or SACERS-U, the child care center may drop one classroom's assessment score, so
49 long as there is at least one additional classroom serving the same age children and that
50 classroom's score is included in the average score. A child care center using an alternative
51 approved program assessment tool shall earn a comparable assessment score based on the tool's
52 scoring scale, as determined by the Commission.

53 (B) For any assessment that occurs on or after January 1, 2028, a child care center using the
54 ITERS-3, ECERS-3, or SACERS-U assessments must earn an average score of 5.0 or higher by
55 averaging all classroom scores. The child care center may drop one classroom's assessment score,
56 so long as there is at least one additional classroom serving the same age children and that

1 classroom’s score is included in the average score. A child care center using an alternative
2 approved program assessment tool shall earn a comparable score based on the tool’s scoring scale,
3 as determined by the Commission.

4 (7) Child care centers that are licensed to serve four-year-old children shall implement a curriculum as
5 defined in Rule .0102(11) of this Chapter in any classroom serving four-year old children and older.

6 (i) For any child care center serving pre-school age children, the following shall also apply:

7 (1) Each child care center shall comply with the requirements set forth in Rule .0508 of this Chapter for
8 written activity schedules and plans and Rule .0509 of this Chapter for general activity requirements;

9 (2) Each child care center shall comply with the requirements for activity areas for preschool-age children as
10 set forth in Rule .0510 of this Chapter, except that all five of the activity areas listed in G.S. 110-91(12) shall
11 be available each day and the activities listed in Rule .0510(c) of this Chapter shall be offered for each group
12 of children at least once per week; and

13 (3) The requirements for activities for infants and toddlers set forth in Rule .0511 of this Chapter shall apply
14 for children under three years of age.

15 (j) For child care centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a
16 minimum of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential
17 or its approved equivalent.

18 (k) For child care centers providing school-age care with 200 or more school-aged children enrolled, there shall be
19 two program coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional
20 program coordinator shall have completed all the applicable staff requirements in Rule .2510(b) of this Chapter.

21 (l) The above requirements shall apply to centers located in a residence, as described in Rule .0102 of this Chapter,
22 except that the following shall apply when determining individual staff education standards:

23 (1) If the operator is the only lead teacher, the operator shall meet the individual education standards at the
24 desired star level, as set forth in Rule .3212 of this Section, or higher.

25 (2) If additional lead teachers are employed by the operator, at least 50% of all lead teachers, including the
26 operator, shall meet the individual education standards at the desired star level, as set forth in Rule .3212, or
27 higher.

28
29 *History Note:* Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b) and (d); 42
30 USCS 9858e; 45 CFR 98.45;

31 Eff.

32 **10A NCAC 09 .3204 is proposed for amendment as follows:**

33
34 **10A NCAC 09 .3204 PROGRAM ASSESSMENT PATHWAY FOR FAMILY CHILD CARE HOMES**

35 (a) This Rule shall apply to operators of family child care homes that choose to earn a two through five star rated
36 license using the program assessment licensure pathway.

37 (b) For purposes of this Rule, “structured self-study” shall mean the process that family child care home operators
38 use to reflect on current teaching practices and educational environments, and identify areas of strength, needs and
39 action steps required to achieve the standards of the program assessment tool as set forth in (c) of this Rule. A
40 structured self-study shall be completed over a minimum of three consecutive months and include a self-assessment
41 using the appropriate program assessment tool and additional resources located at [insert weblink], a written
42 reflection of the self-assessment, including identification of goals for continuous quality improvement, and
43 documentation of the structured self-study using forms found on the Division’s website at
44 <https://ncchildcare.ncdhhs.gov/Provider/Provider-Documents-and-Forms>.

45 (c) Family child care homes shall be evaluated using “Family Child Care Environment Rating Scale, Third Edition”
46 (FCCERS-3). Alternatively, the Commission may approve additional program assessment tools that meet the
47 following criteria:

48 (1) the program assessment tool is research-based;

49 (2) the program assessment tool has demonstrated reliability and validity;

50 (3) the program assessment tool has been developed and validated for the intended population;

51 (4) the standards being evaluated by the program assessment tool are measurable;

52 (5) the program assessment tool is published or otherwise publicly available;

53 (6) the program assessment tool ~~considers the needs of children~~ assesses and supports early childhood
54 environments in a way that is sensitive and responsive to the needs of all children and families from

55 culturally, linguistically, economically, and ability diverse backgrounds, ~~using asset-based and inclusive~~
56 language; and

- 1 (7) the program assessment tool and training for its use has a process to reduce bias. of assessors.
2 Upon approval of additional program assessment tools, the operator of a family child care home may choose which
3 assessment tool they utilize to earn a star rating in this licensure pathway, as long as their choice is applicable to the
4 ages of children served, the type of facility in operation, or other criteria specified by the Commission in its
5 approval.
- 6 (d) For a family child care home to earn a two-star rated license, the following requirements shall be met:
7 (1) The operator shall meet education standards at the two star level set forth in Rule .3217 of this Section
8 or higher.
9 (2) The operator shall implement the family and community engagement foundational practices set forth in
10 Rule .3220 of this Section.
11 (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of
12 this Section.
13 (4) The operator shall complete a structured self-study.
- 14 (e) For a family child care home to earn a three-star rated license, the following requirements shall be met:
15 (1) The operator shall meet education standards at the three star level set forth in Rule .3217 of this Section
16 or higher.
17 (2) The operator shall implement the family and community engagement standards set forth in Rule .3220
18 of this Section for a three-star rated license.
19 (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of
20 this Section.
21 (4) The operator shall complete a structured self-study.
22 (5) The operator shall request and complete an external program assessment and use the results of the
23 assessment in the continuous quality improvement plan set forth in Rule .3221 of this Section.
- 24 (f) For a family child care home to earn a four-star rated license, the following requirements shall be met:
25 (1) The operator shall meet education standards at the four star level set forth in Rule .3217 of this Section
26 or higher.
27 (2) The operator shall implement the family and community engagement standards set forth in Rule .3220
28 of this Section for a four-star rated license.
29 (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of
30 this Section.
31 (4) The operator shall complete a structured self-study.
32 (5) The family child care home operator shall request and complete an external program assessment:
33 (A) For any assessment that occurs prior to January 1, 2028, the family child care home must earn
34 a score of 3.5 or higher on its FCCERS-3 assessment. An operator using an approved alternative
35 program assessment tool shall earn a comparable score based on the tool’s scoring scale, as
36 determined by the Commission.
37 (B) For any assessment that occurs on or after January 1, 2028, the family child care home shall
38 earn a score of 4.0 or higher on its FCCERS-3 assessment. An operator using an alternative
39 approved program assessment tool shall earn a comparable score based on the tool’s scoring scale,
40 as determined by the Commission.
- 41 (6) Operators that are licensed to serve four-year-old children shall implement a curriculum as defined in
42 Rule .0102(11) of this Chapter for use with children four years old and older.
- 43 (g) For a family child care home to earn a five-star rated license, the following requirements shall be met:
44 (1) The operator shall meet education standards at the five star level set forth in Rule .3217 of this Section,
45 or higher.
46 (2) The operator shall implement the family and community engagement standards set forth in Rule .3220
47 of this Section for a five-star rated license.
48 (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of
49 this Section.
50 (4) The operator shall complete a structured self-study.
51 (5) The operator shall request and complete an external program assessment:
52 (A) For any assessment that occurs prior to January 1, 2028, the family child care home must earn
53 a score of 4.0 or higher on its FCCERS-3 assessment. An operator using an approved alternative
54 program assessment tool shall earn a comparable score based on the tool’s scoring scale, as
55 determined by the Commission.

(B) For any assessment that occurs on or after January 1, 2028, the family child care home shall earn a score of 5.0 or higher on its FCCERS-3 assessment. An operator using an alternative approved program assessment tool shall earn a comparable score based on the tool’s scoring scale, as determined by the Commission.

(6) Operators that are licensed to serve four-year-old children shall implement a curriculum as defined in Rule .0102(11) of this Chapter for use with children four years old or older.

History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b) and (d); 42 USCS 9858e; 45 CFR 98.45; Eff.

10A NCAC 09 .3205 is proposed for amendment as follows:

10A NCAC 09 .3205 CLASSROOM AND INSTRUCTIONAL QUALITY PATHWAY FOR CHILD CARE CENTERS

(a) This Rule shall apply to child care centers that choose to earn a two through five star rated license using the classroom and instructional quality licensure pathway.

(b) As used in this Rule, “educators” shall mean teachers, group leaders, and administrative staff, including directors, assistant directors, program coordinators, education coordinators, curriculum specialists, and other staff that have responsibility for planning, caregiving, mentoring or training on-site in a child care center. Educators shall meet the education standards of a position as set forth in Rules .3211, .3213, .3214, .3215, .3216 and .3218 of this Section and work full-time. If a program operates less than 40 hours per week, full-time shall mean the hours the program is in operation.

(c) For a child care center to earn a two-star rated license, the following requirements shall be met:

(1) The child care center shall meet either the enhanced ratio requirements set forth in Rule .3208 of this Section or the enhanced space requirements set forth in Rule .3210 of this Section.

(2) At least 50% of lead teachers and at least 50% of educators shall meet the individual education standards at the two star level as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section or higher.

(3) The child care center shall implement the family and community engagement foundational practices set forth in Rule .3219 of this Section.

(4) The child care center shall implement the continuous quality improvement standards set forth in Rule .3221 of this Section.

(5) The child care center shall implement a curriculum for all ages served that is:

(A) aligned with the North Carolina Foundations for Early Learning and Development;

(B) child focused;

(C) developmentally appropriate; and

(D) culturally and linguistically appropriate.

(6) In curriculum planning, the child care center shall ensure modifications and adaptations are made to involve all children with special health and developmental needs.

(d) For a child care center to earn a three-star rated license, the following requirements shall be met:

(1) The child care center shall meet either the enhanced ratio requirements set forth in Rule .3208 of this Section or the enhanced space requirements set forth in Rule .3210 of this Section.

(2) At least 50% of lead teachers and at least 50% of educators shall meet the individual education standards at the three star level as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section or higher.

(3) The child care center shall implement the family and community engagement standards set forth in Rule .3219 of this Section for a three-star rated license.

(4) The child care center shall implement continuous quality improvement standards set forth in Rule .3221 of this Section.

(5) The child care center shall implement a curriculum for all ages served that is:

(A) aligned with the North Carolina Foundations for Early Learning and Development;

(B) child focused;

(C) developmentally appropriate; and

(D) culturally and linguistically appropriate.

1 (6) In curriculum planning, the child care center shall ensure modifications and adaptations are made to
2 involve all children with special health and developmental needs.

3 (7) The child care center shall ensure child observations are conducted for each child enrolled in the
4 facility. Child observations shall include evidence of the child's activities and may include the following:

5 (A) anecdotal notes;

6 (B) portfolio of child's work samples;

7 (C) developmental screenings;

8 (D) formative assessment tools; or

9 (E) photographs, audio, or video recordings with permission from the child's family.

10 (8) The administrator participates in one of the following activities regarding classroom and instructional
11 quality practices:

12 (A) annual completion of 5 hours of coaching or mentoring by another administrator of a licensed
13 child care center with a star-rating of three stars or higher, or a community resource partner;

14 (B) annual completion of 5 ongoing training hours, in addition to applicable requirements in Rule
15 .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section;
16 or

17 (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in
18 Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this
19 Section.

20 (e) For a child care center to earn a four-star rated license, the following requirements shall be met:

21 (1) The child care center shall meet the enhanced ratio requirements set forth in Rule .3208 of this Section.
22 The child care center may choose to meet the enhanced space requirements set forth in Rule .3210 of this
23 Section.

24 (2) At least 50% of lead teachers and at least 50% of educators shall meet the individual education
25 standards at the four star level as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of
26 this Section or higher.

27 (3) The child care center shall implement the family and community engagement standards set forth in Rule
28 .3219 of this Section for a four-star rated license.

29 (4) The child care center shall implement the continuous quality improvement standards set forth in Rule
30 .3221 of this Section.

31 (5) The child care center shall implement a curriculum that has been approved by the Commission as
32 defined in Rule .0102(11) of this Chapter for all ages served. A list of curricula that has been approved by
33 the Commission is available at [https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-](https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum)
34 License/Curriculum.

35 (6) In curriculum planning, the child care center shall ensure modifications and adaptations are made to
36 involve all children with special health and developmental needs.

37 (7) The child care center shall conduct on-going formative assessments to gather information about each
38 child's growth and skill development based on individual development and learning needs and maintain
39 evidence of each child's on-going assessment. The child care center shall use a formative assessment(s)
40 that has been approved by the Commission, available at

41 <https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum>. Evidence of formative
42 assessments shall include documentation required or contemplated by the approved formative assessment
43 and may also include:

44 (A) anecdotal notes;

45 (B) portfolio of child's work samples;

46 (C) developmental screenings; or

47 (D) photographs, audio, or video recordings with permission from the child's family.

48 (8) The lead teacher shall share the results of the formative assessment with families at least once annually.
49 The manner in which the results are shared shall be convenient for the family such as by telephone, email,
50 virtually, or in-person.

51 (9) The administrator shall complete training related to the approved curriculum and formative assessment
52 tool that is used by center staff with children, in addition to applicable requirements in Rule .1103 of this
53 Chapter. Verification of this training shall be maintained in the administrator's personnel file.

54 (10) The administrator shall participate in one of the following activities regarding classroom and
55 instructional quality practices:

1 (A) annual completion of 5 hours of coaching or mentoring by another administrator of a licensed
2 child care facility with a star-rating of four or five stars or a community resource partner;

3 (B) annual completion of 5 ongoing training hours, in addition to applicable requirements in Rule
4 .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section;
5 or

6 (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in
7 Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this
8 Section.

9 (11) All lead teachers shall participate in one of the following activities regarding classroom and
10 instructional quality practices:

11 (A) annual completion of 5 hours of coaching or mentoring by the administrator, another lead
12 teacher in in the center, a lead teacher in another licensed child care center with a star-rating of
13 four or five stars, an administrator of another licensed child care center with a star-rating of four or
14 five stars, or a community resource partner;

15 (B) annual completion of 5 ongoing training hours, in addition to applicable requirements in Rule
16 .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section;
17 or

18 (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in
19 Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this
20 Section.

21 (f) For a child care center to earn a five-star rated license, the following requirements shall be met:

22 (1) The child care center shall meet the reduced, enhanced ratio requirements set forth in Rule .3209 of this
23 Section. The child care center may choose to meet the enhanced space requirements set forth in Rule .3210
24 of this Section.

25 (2) At least 50% of lead teachers and at least 50% of educators shall meet the individual education
26 standards at the five star level as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of
27 this Section, or higher.

28 (3) The child care center shall implement the family and community engagement standards set forth in Rule
29 .3219 of this Section for a five-star rated license.

30 (4) The child care center shall implement the continuous quality improvement standards set forth in Rule
31 .3221 of this Section.

32 (5) The child care center shall implement a curriculum that has been approved by the Commission as
33 defined in Rule .0102(11) of this Chapter for all ages served. A list of curricula that has been approved by
34 the Commission is available at [https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-](https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum)
35 License/Curriculum.

36 (6) In curriculum planning, the child care center shall ensure modifications and adaptations are made to
37 involve all children with special health and developmental needs.

38 (7) The child care center shall conduct on-going formative assessments to gather information about each
39 child's growth and skill development based on individual development and learning needs and maintain
40 evidence of each child's on-going assessment. The child care center shall use a formative assessment(s)
41 that has been approved by the Commission, available at
42 <https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum>. Evidence of formative
43 assessments shall include documentation required or contemplated by the approved formative assessment
44 and may also include:

45 (A) anecdotal notes;

46 (B) portfolio of child's work samples;

47 (C) developmental screenings; or

48 (D) photographs, audio, or video recordings with permission from the child's family.

49 (8) The lead teacher shall share the results of the formative assessment with families at least twice annually.
50 While sharing the results, the lead teacher shall provide an opportunity for families to contribute additional
51 information to the formative assessment. The manner in which the results are shared shall be convenient
52 for the family such as by telephone, email, virtually, or in-person.

53 (9) The administrator and all lead teachers shall complete training related to the curriculum and formative
54 assessment tool that is used by the center staff with children, in addition to applicable requirements in Rule
55 .1103 of this Chapter. Verification of this training shall be maintained in the individual's personnel file.

1 (10) The administrator participates in one of the following activities regarding classroom and instructional
2 quality practices:

3 (A) annual completion of 5 hours of coaching or mentoring by an administrator of another
4 licensed child care center with a star-rating of five stars, or a community resource partner;

5 (B) annual completion of 5 ongoing training hours, in addition to applicable requirements in Rule
6 .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section;

7 or

8 (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in
9 Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this
10 Section.

11 (11) All lead teachers participate in one of the following activities regarding classroom and instructional
12 quality practices:

13 (A) annual completion of 5 hours of coaching or mentoring by the administrator, another lead
14 teacher in in the center, a lead teacher in another licensed child care center with a star-rating of
15 five stars, an administrator of another licensed child care center with a star-rating of five stars, or a
16 community resource partner;

17 (B) annual completion of 5 ongoing training hours, in addition to applicable requirements in Rule
18 .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section;

19 or

20 (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in
21 Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this
22 Section.

23 (g) For any child care center serving pre-school age children, the following shall also apply:

24 (1) Each child care center shall comply with the requirements set forth in Rule .0508 of this Chapter for
25 written activity schedules and plans and Rule .0509 of this Chapter for general activity requirements;

26 (2) Each child care center shall comply with the requirements for activity areas for preschool-age children as
27 set forth in Rule .0510 of this Chapter, except that all five of the activity areas listed in G.S. 110-91(12) shall
28 be available each day and the activities listed in Rule .0510(c) of this Chapter shall be offered for each group
29 of children at least once per week; and

30 (3) The requirements for activities for infants and toddlers set forth in Rule .0511 of this Chapter shall apply
31 for children under three years of age.

32 (h) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum
33 of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its
34 approved equivalent.

35 (i) For centers providing school-age care with 200 or more school-aged children enrolled, there shall be two program
36 coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional program
37 coordinator shall have completed all the applicable staff requirements in Rule .2510(b) of this Chapter.

38 (j) The above requirements shall apply to centers located in a residence, as described in Rule .0102 of this Chapter,
39 except that the following shall apply when determining individual staff education standards:

40 (1) If the operator is the only lead teacher, the operator shall meet the individual education standards at the
41 desired star level, as set forth in Rule .3212 of this Section, or higher.

42 (2) If additional lead teachers are employed by the operator, at least 50% of all lead teachers, including the
43 operator, shall meet the individual education standards at the desired star level, as set forth in Rule .3212, or
44 higher.

45
46 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b) and (d); S.L.
47 2024-34; 42 USCS 9858e; 45 CFR 98.45;
48 Eff.
49

50 **10A NCAC 09 .3206 is proposed for amendment as follows:**

51
52 **10A NCAC 09 .3206 CLASSROOM AND INSTRUCTIONAL QUALITY PATHWAY FOR FAMILY**
53 **CHILD CARE HOMES**

54 (a) This Rule shall apply to family child care homes that choose to earn a two through five-star rated license using
55 the classroom and instructional quality licensure pathway.

56 (b) For a family child care home to earn a two-star rated license, the following requirements shall be met:

1 (1) The operator shall meet education standards at the two star level as set forth in Rule .3217 of this
2 Section or higher.

3 (2) The operator shall implement the family and community engagement foundational practices set forth in
4 Rule .3220 of this Section for a two-star rated license.

5 (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of
6 this Section.

7 (4) The operator shall implement a curriculum for all ages served that is:

8 (A) aligned with the North Carolina Foundations for Early Learning and Development;

9 (B) child focused;

10 (C) developmentally appropriate; and

11 (D) culturally and linguistically appropriate.

12 (5) In curriculum planning, the operator shall ensure modifications and adaptations are made to involve all
13 children with special health and developmental needs.

14 (c) For a family child care home to earn a three-star rated license, the following requirements shall be met:

15 (1) The operator shall meet education standards at the three star level as set forth in Rule .3217 of this
16 Section or higher.

17 (2) The operator shall implement the family and community engagement standards set forth in Rule .3220
18 of this Section for a three-star rated license.

19 (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of
20 this Section.

21 (4) The operator shall implement a curriculum for all ages served that is:

22 (A) aligned with the North Carolina Foundations for Early Learning and Development;

23 (B) child focused;

24 (C) developmentally appropriate; and

25 (D) culturally and linguistically appropriate.

26 (5) In curriculum planning, the operator shall ensure modifications and adaptations are made to involve all
27 children with special health and developmental needs.

28 (6) The operator shall ensure child observations are conducted for each child enrolled in the family child
29 care home. Child observations shall include evidence of the child's activities and may include the
30 following:

31 (A) anecdotal notes;

32 (B) portfolio of child's work samples;

33 (C) developmental screenings;

34 (D) formative assessment tools; or

35 (E) photographs, audio, or video recordings with permission from the child's family.

36 (7) The operator participates in one of the following activities regarding classroom and instructional quality
37 practices:

38 (A) annual completion of 5 hours of coaching or mentoring by a center administrator of a licensed
39 child care center with a star-rating of three stars or higher, an operator of another licensed family
40 child care home with a star-rating of three stars or higher, or a community resource partner;

41 (B) annual completion of 5 ongoing training hours, in addition to applicable requirements in Rule
42 .1703(f) of this Chapter and Rule .3217 of this Section; or

43 (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in
44 Rule .1703(f) of this Chapter and Rule .3217 of this Section.

45 (d) For a family child care home to earn a four-star rated license, the following requirements shall be met:

46 (1) The operator shall meet education standards at the four star level as set forth in Rule .3217 of this
47 Section or higher.

48 (2) The operator shall implement the family and community engagement standards set forth in Rule .3220
49 of this Section for a four-star rated license.

50 (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of
51 this Section.

52 (4) The operator shall implement a curriculum that has been approved by the Commission as defined in
53 Rule .0102(11) of this Chapter for all ages served. A list of curricula that has been approved by the
54 Commission is available at [https://ncchildcare.ncdhs.gov/Services/Licensing/Star-Rated-](https://ncchildcare.ncdhs.gov/Services/Licensing/Star-Rated-License/Curriculum)
55 License/Curriculum.

1 (5) In curriculum planning, the operator shall ensure modifications and adaptations are made to involve all
2 children with special health and developmental needs.

3 (6) The operator shall conduct on-going formative assessments to gather information about each child's
4 growth and skill development based on individual development and learning needs and maintain evidence
5 of each child's on-going assessment. The operator shall use a formative assessment(s) that has been
6 approved by the Commission, available at [https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-](https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum)
7 License/Curriculum. Evidence of formative assessments shall include documentation required or
8 contemplated by the approved formative assessment and may also include:

9 (A) anecdotal notes;

10 (B) portfolio of child's work samples;

11 (C) developmental screenings; or

12 (D) photographs, audio, or video recordings with permission from the child's family.

13 (7) The operator shall share the results of the formative assessment with families at least once annually.
14 The manner in which the results are shared shall be convenient for the family such as by telephone, email,
15 virtually, in-person.

16 (8) The operator shall complete training related to the curriculum and formative assessment tool that is used
17 by center staff with children, in addition to applicable requirements in Rule .1703(f) of this Chapter.
18 Verification of this training shall be maintained in the operator's personnel file.

19 (9) The operator participates in one of the following activities regarding classroom and instructional quality
20 practices:

21 (A) annual completion of 5 hours of coaching or mentoring by a center administrator of a licensed
22 child care center with a star-rating of four or five stars, an operator of another licensed family
23 child care home with a star-rating of four or five stars, or a community resource partner;

24 (B) annual completion of 5 ongoing training hours, in addition to applicable requirements in Rule
25 .1703(f) of this Chapter and Rule .3217 of this Section; or

26 (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in
27 Rule .1703(f) of this Chapter and Rule .3217 of this Section.

28 (e) For a family child care home to earn a five-star rated license, the following requirements shall be met:

29 (1) If the family child care home is meeting license capacity requirements in G.S. 110-91(7)(b)(1), no
30 more than four children shall be under the age of 24 months of the children who are birth to 5 years of age.
31 This requirement shall not reduce the licensed capacity of the family child care home.

32 (2) The operator shall meet the education standards at the five star level set forth in Rule .3217 of this
33 Section, or higher.

34 (3) The operator shall implement the family and community engagement standards set forth in Rule .3220
35 of this Section for a five-star rated license.

36 (4) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of
37 this Section.

38 (5) The operator shall implement a curriculum that has been approved by the Commission as defined in
39 Rule .0102(11) of this Chapter for all ages served. A list of curricula that has been approved by the
40 Commission is available at [https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-](https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum)
41 License/Curriculum.

42 (6) In curriculum planning, the operator shall ensure modifications and adaptations are made to involve all
43 children with special health and developmental needs.

44 (7) The operator shall conduct on-going formative assessments to gather information about each child's
45 growth and skill development based on individual development and learning needs and maintain evidence
46 of each child's on-going assessment. The operator shall use a formative assessment(s) that has been
47 approved by the Commission, available at [https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-](https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum)
48 License/Curriculum. Evidence of formative assessments shall include documentation required or
49 contemplated by the approved formative assessment and may also include:

50 (A) anecdotal notes;

51 (B) portfolio of child's work samples;

52 (C) developmental screenings; or

53 (D) photographs, audio, or video recordings with permission from the child's family.

54 (8) The operator shall share the results of the formative assessment with families at least twice annually.
55 While sharing the results, the operator shall provide an opportunity for families to contribute additional

1 information to the formative assessment. The manner in which the results are shared shall be convenient
2 for the family such as by telephone, email, virtually, or in-person.

3 (9) The operator shall complete training related to the curriculum and formative assessment tool that is
4 used, in addition to applicable requirements in Rule .1703(f) of this Chapter. Verification of this training
5 shall be maintained in the operator's personnel file.

6 (10) The operator participates in one of the following activities regarding classroom and instructional
7 quality practices:

8 (A) annual completion of 5 hours of coaching or mentoring by a center administrator of a licensed
9 child care center with a star-rating of five stars, an operator of another licensed family child care
10 home with a star-rating of five stars, or a community resource partner;

11 (B) annual completion of 5 ongoing training hours, in addition to applicable requirements in Rule
12 .1703(f) of this Chapter and Rule .3217 of this Section; or

13 (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in
14 Rule .1703(f) of this Chapter and Rule .3217 of this Section.

15
16 *History Note:* Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b) and (d); S.L.
17 2024-34; 42 USCS 9858e; 45 CFR 98.45;
18 Eff.

19
20 **10A NCAC 09 .3207 is proposed for amendment as follows:**

21
22 **10A NCAC 09 .3207 ACCREDITATION AND HEAD START PATHWAY FOR CHILD CARE**
23 **FACILITIES**

24 (a) This Rule shall apply to child care facilities that choose to earn a two through five star rated license using the
25 accreditation and Head Start licensure pathway.

26 (b) As used in the Rule, "educators" shall mean teachers, group leaders, and administrative staff, including directors,
27 assistant directors, program coordinators, education coordinators, curriculum specialists, and other staff that have
28 responsibility for planning, caregiving, mentoring or training on-site in a child care center. Educators shall meet the
29 education standards of a position as set forth in Rules .3211, .3213, .3214, .3215, .3216 and .3218 of this Section and
30 work full-time. If a program operates less than 40 hours per week, full-time shall mean the hours the program is in
31 operation.

32 (c) When a child care facility is accredited by one of the following organizations, a three-star rated license may be
33 issued based programmatic standards:

34 (1) National Association for Family Child Care (NAFCC)

35 (2) National Early Childhood Program Accreditation (NECPA)

36 (3) American Montessori Society (AMS)

37 (4) International Montessori Council (IMC)

38 (d) A child care facility accredited by one of the organizations listed in (c) of this Rule may increase its star rating to
39 a four-star rated license, by requesting an evaluation of its education standards and be issued a four-star rated license
40 if the following applicable standard is met:

41 (1) For child care centers, at least 50% of lead teachers and at least 50% of educators shall meet the
42 individual education standards at the four star level, as set forth in Rules .3211, .3212, .3213, .3214, .3215,
43 .3216 and .3218 of this Section or higher.

44 (2) For a family child care home, the operator shall meet education standards at the four star level, as set
45 forth in Rule .3217 of this Section or higher.

46 (e) A child care facility accredited by one of the organizations listed in (c) of this Rule may increase its star rating to
47 a five-star rated license, by requesting an evaluation of its education standards and be issued a five-star rated license
48 if the following applicable standard is met:

49 (1) For child care centers, at least 50% of all lead teachers and at least 50% of all other educators shall meet
50 individual education standards at the five star level, as set forth in Rules .3211, .3212, .3213, .3214, .3215,
51 .3216 and .3218 of this Section or higher.

52 (2) The operator of a family child care home shall meet education standards at the five star level, as set
53 forth in Rule .3217 of this Section or higher.

54 (f) When a child care facility is accredited by one of the following organizations, a five-star rated license may be
55 issued based on educational and programmatic standards:

56 (1) National Association for the Education of young Children (NAEYC)

1 (2) National Accreditation Commission for Early Care and Education Programs (NAC)

2 (3) Cognia, that includes early learning standards

3 (4) Cognia, that includes extended learning standards for school age care only programs

4 (g) When a child care facility is designated as Head Start or Early Head Start, a five-star rated license may be issued
5 based on educational and programmatic standards.

6 (h) Verification of accreditation status, Head Start designation or Early Head Start designation shall be maintained at
7 the child care facility at all times and be provided to the Division on request.

8 (i) Accredited, Head Start and Early Head Start facilities shall meet the staff/child ratio requirements of the
9 organization when required to obtain and maintain the accreditation or designation. If a facility may receive an
10 accreditation award or Head Start designation without adhering to the accreditation standards or Head Start
11 performance standards, the facility shall meet the organization's staff/child ratio standard or enhanced staff/child
12 ratio requirements specified in Rule .3208 of this Section.

13 (j) Accredited facilities, Head Start facilities and Early Head Start facilities are not required to meet additional
14 programmatic requirements described in this Section when in good standing with accreditation or performance
15 standards. Programmatic requirement topics include curriculum, continuous quality improvement, and family and
16 community engagement.

17 (k) For any child care center serving pre-school age children, the following shall also apply:

18 (1) Each child care center shall comply with the requirements set forth in Rule .0508 of this Chapter for
19 written activity schedules and plans and Rule .0509 of this Chapter for general activity requirements;

20 (2) Each child care center shall comply with the requirements for activity areas for preschool-age children as
21 set forth in Rule .0510 of this Chapter, except that all five of the activity areas listed in G.S. 110-91(12) shall
22 be available each day and the activities listed in Rule .0510(c) of this Chapter shall be offered for each group
23 of children at least once per week; and

24 (3) The requirements for activities for infants and toddlers set forth in Rule .0511 of this Chapter shall apply
25 for children under three years of age.

26 (l) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of
27 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its
28 approved equivalent.

29 (m) For centers providing school-age care with 200 or more school-aged children enrolled, there shall be two program
30 coordinators on site, one of whom shall not have concurrent group leader responsibilities. The additional program
31 coordinator shall have completed all the applicable staff requirements in Rule .2510(b) of this Chapter.

32
33 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b) and (d); S.L.
34 2024-34; 42 USCS 9858e; 45 CFR 98.45;
35 Eff.

36
37 **10A NCAC 09 .3208 is proposed for amendment as follows:**

38
39 **10A NCAC 09 .3208 ENHANCED STAFF/CHILD RATIOS FOR A RATED LICENSE FOR CHILD**
40 **CARE CENTERS**

41 (a) This Rule shall apply to evaluating the staff/child ratios and maximum group sizes for a rated license for child
42 care centers.

43 (b) Enhanced Staff/Child Ratio means that the center shall comply with the following staff/child ratios and maximum
44 group sizes.

<u>Age</u>	<u>Ratio Staff/Children</u>	<u>Maximum Group Size</u>
<u>0 to 12 Months</u>	<u>1/5</u>	<u>10</u>
<u>1 to 2 Years</u>	<u>1/6</u>	<u>12</u>
<u>2 to 3 Years</u>	<u>1/9</u>	<u>18</u>
<u>3 to 4 Years</u>	<u>1/10</u>	<u>20</u>
<u>4 to 5 Years</u>	<u>1/13</u>	<u>25</u>
<u>5 to 6 Years</u>	<u>1/15</u>	<u>25</u>
<u>6 Years and Older</u>	<u>1/20</u>	<u>25</u>

45 (d) The provisions of rules 10A NCAC 09 .0713(a) through (e) shall apply in evaluating the staff/child ratios and
46 maximum group sizes within this Rule.

1 (e) Enhanced staff/child ratios shall not apply to facilities who choose to use multi-age group staff child ratios as set
2 forth in Rule .0713(f) of this Chapter.

3 (f) The staff/child ratio applicable to a classroom shall be posted in that classroom in an area that parents are able to
4 view at all times.

5
6 History Note: Authority G.S. 110-88(7); 143B-168.3; 42 USCS 9858e; 45 CFR 98.45;
7 Eff.

8
9 **10A NCAC 09 .3209 is proposed for amendment as follows:**

10
11 **10A NCAC 09 .3209 REDUCED, ENHANCED STAFF/CHILD RATIOS FOR A RATED LICENSE FOR**
12 **CHILD CARE CENTERS**

13 (a) This Rule shall apply to evaluating the staff/child ratios and maximum group sizes for a rated license for child
14 care centers.

15 (b) Enhanced Staff/Child Ratio means that the center shall comply with the following staff/child ratios and maximum
16 group sizes.

<u>Age</u>	<u>Ratio Staff/Children</u>	<u>Maximum Group Size</u>
<u>0 to 12 Months</u>	<u>¼</u>	<u>8</u>
<u>1 to 2 Years</u>	<u>1/5</u>	<u>10</u>
<u>2 to 3 Years</u>	<u>1/8</u>	<u>16</u>
<u>3 to 4 Years</u>	<u>1/9</u>	<u>18</u>
<u>4 to 5 Years</u>	<u>1/12</u>	<u>24</u>
<u>5 to 6 Years</u>	<u>1/14</u>	<u>25</u>
<u>6 Years and Older</u>	<u>1/19</u>	<u>25</u>

17 (d) The provisions of rules 10A NCAC 09 .0713(a) through (e) shall apply in evaluating the staff/child ratios and
18 maximum group sizes within this Rule.

19 (e) Reduced, enhanced staff/child ratios shall not apply to facilities who choose to use multi-age group staff child
20 ratios as set forth in Rule .0713(f) of this Chapter.

21 (f) The staff/child ratio applicable to a classroom shall be posted in that classroom in an area that parents are able to
22 view at all times.

23
24 History Note: Authority G.S. 110-88(7); 143B-168.3; 42 USCS 9858e; 45 CFR 98.45;
25 Eff.

26
27 **10A NCAC 09 .3210 is proposed for amendment as follows:**

28
29 **10A NCAC 09 .3210 ENHANCED SPACE REQUIREMENTS FOR CHILD CARE CENTERS**

30 (a) There shall be at least 30 square feet inside space per child per the total licensed capacity and 100 square feet
31 outside space for each child using the outdoor learning environment at any one time.

32 (b) There shall be an area that can be arranged for administrative and private conference activities.

33
34 History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3; 42 USCS 9858e; 45 CFR 98.45;
35 Eff.

36
37 **10A NCAC 09 .3211 is proposed for amendment as follows:**

38
39 **10A NCAC 09 .3211 ENHANCED EDUCATION STANDARDS FOR CHILD CARE CENTER ON-SITE**
40 **ADMINISTRATORS**

41 (a) This Rule shall apply when evaluating the education of an on-site administrator, as defined in G.S. 110-86(2a), in
42 a child care center.

43 (b) A child care provider meets the two star education standard for on-site administrators if the provider meets, at
44 minimum, the requirements set forth in Option 1 or Option 2 as follows:

45 (1) Option 1:

46 (A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher;
47 and

- 1 (B) Successful completion at least 6 semester hours in early childhood education or child
2 development coursework at an accredited college or university; and
3 (C) Annual completion of at least 1.0 continuing education credit in early childhood education and
4 school-age related topics in addition to applicable requirements in Rule .1103 of this Chapter; and
5 (D) If the center is licensed for school-age care, have at least 3 months licensed or unlicensed
6 school-age care work experience or successful completion of BSAC training.

7 (2) Option 2:

- 8 (A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher;
9 and
10 (B) Have at least 2 years of early childhood education work experience or have at least 1 year of
11 administrative work experience; and
12 (C) If the center is licensed for school-age care, have at least 3 months licensed or unlicensed
13 school-age care work experience or successful completion of BSAC training.

14 (c) A child care provider meets the three star education standard for on-site administrators if the provider meets, at
15 minimum, the requirements set forth in Option 1 or Option 2 as follows:

16 (1) Option 1:

- 17 (A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher;
18 and
19 (B) Successful completion of at least 12 semester hours in early childhood education or child
20 development coursework at an accredited college or university; and
21 (C) Have at least 1 year of administrative work experience or, if the center is licensed for school-
22 age care, have at least 6 months licensed or unlicensed school-age care work experience or, if the
23 center is licensed for school-age care, successful completion of BSAC training.

24 (2) Option 2:

- 25 (A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher;
26 and
27 (B) Successful completion of at least 6 semester hours in early childhood education or child
28 development coursework at an accredited college or university; and
29 (C) Have at least 3 years of early childhood education work experience or administrative work
30 experience or a combination of both types of experience; and
31 (D) If the center is licensed for school-age care, have at least 6 months licensed or unlicensed
32 school-age care work experience or successful completion of BSAC training.

33 (d) A child care provider meets the four star education standard for on-site administrators if the provider meets, at
34 minimum, the requirements set forth in Option 1 or Option 2 as follows:

35 (1) Option 1:

- 36 (A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher;
37 and
38 (B) Successful completion of at least 12 semester hours in early childhood education or child
39 development coursework at an accredited college or university; and
40 (C) Be enrolled in or have completed an associate or bachelor's degree program; and
41 (D) Have at least 2 years of early childhood education or administrative work experience or, if the
42 center is licensed for school-age care, successful completion of BSAC training.

43 (2) Option 2:

- 44 (A) Level II NC Early Childhood Administration Credential or its approved equivalent or higher;
45 and
46 (B) Be enrolled in or have completed an associate or bachelor's degree program; and
47 (C) Have at least 2 years of early childhood education work experience; and
48 (D) If the center is licensed for school-age care, have at least 1 year licensed or unlicensed school-
49 age care work experience or successful completion of BSAC training.

50 (e) A child care provider meets the five star education standard for on-site administrators if the provider meets, at
51 minimum, the requirements set forth in Option 1, Option 2, or Option 3 as follows:

52 (1) Option 1:

- 53 (A) Level II NC Early Childhood Administration Credential or its approved equivalent or higher;
54 and
55 (B) Successful completion of at least 18 semester hours in early childhood education or child
56 development coursework at an accredited college or university; and

- 1 (C) Be enrolled in or have completed a bachelor's degree program; and
2 (D) Have at least 4 years of work experience in early childhood education, administrative duties,
3 or a combination of both types of experience; and
4 (E) If the center is licensed for school-age care, have at least 2 years licensed or unlicensed school-
5 age care work experience or successful completion of BSAC training.

6 (2) Option 2:

- 7 (A) Level II NC Early Childhood Administration Credential or its approved equivalent or higher;
8 and
9 (B) Successful completion of at least 18 semester hours in early childhood education or child
10 development coursework at an accredited college or university; and
11 (C) Be enrolled in or have completed a bachelor's degree program; and
12 (D) Have at least 4 years combined early childhood education and administrative work experience;
13 and
14 (E) If the center is licensed for school-age care, successful completion of BSAC training.

15 (3) Option 3:

- 16 (A) Level III NC Early Childhood Administration Credential or its approved equivalent; and
17 (B) Have at least 3 years of work experience in early childhood education, administrative duties,
18 or a combination of both types of experience; and
19 (C) If the center is licensed for school-age care, have at least 1 year licensed or unlicensed school-
20 age care experience or successful completion of BSAC training.

21 (f) Semester hours in early childhood education or child development coursework required to meet the education
22 standards set forth in this Rule shall not include the coursework necessary for the North Carolina Early Childhood
23 Administration Credential (NCECAC).

24 (g) Completion of school age experience requirements shall count toward meeting work experience requirements.

25 (h) For centers located in a residence, if an individual has responsibility both for administering the child care program
26 and for planning and implementing the daily activities of a group of children, the educational requirements for lead
27 teacher in Rule .3212 of this Section shall apply. All other teachers shall follow the educational requirements for
28 teachers in this Section.

29
30 *History Note:* Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS
31 9858e; 45 CFR 98.45;
32 Eff.

33
34 **10A NCAC 09 .3212 is proposed for amendment as follows:**

35
36 **10A NCAC 09 .3212 **ENHANCED EDUCATION STANDARDS FOR CHILD CARE CENTER LEAD**
37 **TEACHERS****

38 (a) This Rule shall apply when evaluating the education of a lead teacher, as defined by GS 110-86(5a), in a child
39 care center.

40 (b) A child care provider meets the two star education standard for lead teachers if the provider meets, at minimum,
41 the requirements set forth in Option 1, Option 2, or Option 3 as follows:

42 (1) Option 1: Completion of a Child Development Associate (CDA) that is active with no credit for prior
43 learning.

44 (2) Option 2: Successful completion of at least 3 semester hours in early childhood education or child
45 development coursework at an accredited college or university.

46 (3) Option 3:

47 (A) Have at least 1 year of early childhood education work experience; and

48 (B) Annual completion of at least 0.5 continuing education credit specific to the ages and needs of
49 children in care, in addition to applicable requirements in Rule .1103 of this Chapter, or successful
50 completion of a competency evaluation as set forth in Rule .3218 of this Section.

51 (c) A child care provider meets the three star education standard for lead teachers if the provider meets, at minimum,
52 the requirements set forth in Option 1, Option 2, Option 3, or Option 4 as follows:

53 (1) Option 1: Completion of a Child Development Associate (CDA) that is active with credit for prior
54 learning.

55 (2) Option 2: Successful completion of at least 9 semester hours in early childhood education or child
56 development coursework at an accredited college or university.

1 (3) Option 3:

2 (A) Successful completion of at least 3 semester hours in early childhood education or child
3 development coursework at an accredited college or university; and

4 (B) Have at least 3 years of early childhood education work experience.

5 (4) Option 4:

6 (A) Have at least 3 years of early childhood education work experience; and

7 (B) Annual completion of at least 1.0 continuing education credit specific to the ages and needs of
8 children in care, in addition to applicable requirements in Rule .1103 of this Chapter, or successful
9 completion of a competency evaluation as set forth in Rule .3218 of this Section.

10 (d) A child care provider meets the four star education standard for lead teachers if the provider meets, at minimum,
11 the requirements set forth in Option 1, Option 2, or Option 3 as follows:

12 (1) Option 1:

13 (A) Successful completion of at least 12 semester hours in early childhood education or child
14 development coursework at an accredited college or university; and

15 (B) Have at least 2 years of early childhood work experience.

16 (2) Option 2: Completion of an Early Childhood Certificate.

17 (3) Option 3:

18 (A) Have at least 5 years of early childhood work experience; and

19 (B) Annual completion of at least 2.0 continuing education credits specific to the ages and needs
20 of children in care, in addition to applicable requirements in Rule .1103 of this Chapter, or
21 successful completion of a competency evaluation as set forth in Rule .3218 of this Section.

22 (e) A child care provider meets the five star education standard for lead teachers if the provider meets, at minimum,
23 the requirements set forth in Option 1, Option 2, Option 3, Option 4, or Option 5 as follows:

24 (1) Option 1:

25 (A) Completion of an AAS degree or higher in early childhood education or child development;
26 and

27 (B) Have at least 1 year early childhood work experience or at least 6 months of
28 coaching/mentoring by a Level II or higher Administrator for at least 5 hours per week. A
29 coach/mentor shall be responsible for no more than two lead teachers who require
30 coaching/mentoring at any given time.

31 (2) Option 2:

32 (A) Enrollment in an AAS degree program and successful completion of all required early
33 childhood education coursework for an AAS degree program, without full completion of the
34 degree; and

35 (B) Have at least 1 year of early childhood education work experience.

36 (3) Option 3:

37 (A) Successful completion of at least 60 semester hours toward a bachelor's degree at an
38 accredited college or university with at least 12 semester hours in early childhood education or
39 child development coursework; and

40 (B) Have at least 2 years of early childhood work experience.

41 (4) Option 4:

42 (A) Completion of an AAS degree or higher at an accredited college or university in any major
43 with at least 12 semester hours in early childhood education or child development coursework;
44 and

45 (B) Have at least 2 years of early childhood work experience or at least 6 months of
46 coaching/mentoring by a Level II or higher Administrator for at least 5 hours per week. A
47 coach/mentor shall be responsible for no more than two lead teachers who require
48 coaching/mentoring at any given time.

49 (5) Option 5:

50 (A) Have at least 10 years of early childhood work experience; and

51 (B) Annual completion of at least 2.5 continuing education credits specific to the ages and needs
52 of children in care, in addition to applicable requirements in Rule .1103 of this Chapter; and

53 (C) Successful completion of a competency evaluation as set forth in Rule .3218 of this Section.

54 (f) Semester hours in early childhood education or child development coursework required to meet the education
55 standards set forth in this Rule shall not include the coursework necessary for the North Carolina Early Childhood
56 Credential.

1
2 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS
3 9858e; 45 CFR 98.45;
4 Eff.
5

6 **10A NCAC 09 .3213 is proposed for amendment as follows:**

7
8 **10A NCAC 09 .3213 ENHANCED EDUCATION STANDARDS FOR CHILD CARE CENTER**
9 **TEACHERS**

10 (a) This Rule shall apply when evaluating the education of a teacher, as defined in 10A NCAC 09 .0102(47), for a
11 child care center.

12 (b) A child care provider meets the two star education standard for teachers if the provider meets, at minimum, the
13 requirements set forth in Option 1 or Option 2 as follows:

14 (1) Option 1: Be enrolled in at least 3 semester hours in early childhood education or child development
15 coursework at an accredited college or university.

16 (2) Option 2: Have at least 1 year of early childhood work experience.

17 (c) A child care provider meets the three star education standard for teachers if the provider meets, at minimum, the
18 requirements set forth in Option 1, Option 2, Option 3, or Option 4 as follows:

19 (1) Option 1: NC Early Childhood Credential or its approved equivalent.

20 (2) Option 2: Successful completion of at least 3 semester hours in early childhood education or child
21 development coursework at an accredited college or university.

22 (3) Option 3: Have at least 2 years of early childhood work experience.

23 (4) Option 4:

24 (A) Have at least 1 year of early childhood work experience; and

25 (B) Annual completion of at least 0.5 continuing education credit specific to the ages and needs of
26 children in care, in addition to applicable requirements in Rule .1103 of this Chapter, or successful
27 completion of a competency evaluation as set forth in Rule .3218 of this Section.

28 (d) A child care provider meets the four star education standard for teachers if the provider meets, at minimum, the
29 requirements set forth in Option 1, Option 2, or Option 3 as follows:

30 (1) Option 1:

31 (A) NC Early Childhood Credential or its approved equivalent; and

32 (B) Successful completion of at least 3 semester hours in early childhood education or child
33 development coursework at an accredited college or university; and

34 (C) Have at least 1 year of early childhood work experience.

35 (2) Option 2:

36 (A) Have at least 2 years of early childhood work experience; and

37 (B) Annual completion of at least 1.0 continuing education credit specific to the ages and needs of
38 children in care, in addition to applicable requirements in Rule .1103 of this Chapter, or successful
39 completion of a competency evaluation as set forth in Rule .3218 of this Section.

40 (3) Option 3: Completion of a Child Development Associate (CDA) that is active with no credit for prior
41 learning.

42 (e) A child care provider meets the five star education standard for teachers if the provider meets, at minimum, the
43 requirements set forth in Option 1, Option 2, Option 3, or Option 4 as follows:

44 (1) Option 1:

45 (A) NC Early Childhood Credential or its approved equivalent; and

46 (B) Successful completion of at least 6 semester hours in early childhood education or child
47 development coursework at an accredited college or university; and

48 (C) Have at least 2 years of early childhood work experience.

49 (2) Option 2:

50 (A) NC Early Childhood Credential or its approved equivalent; and

51 (B) Successful completion of at least 3 semester hours in early childhood education or child
52 development coursework at an accredited college or university; and

53 (C) Annual completion of at least 1.5 continuing education credit specific to the ages and needs of
54 children in care, in addition to applicable requirements in Rule .1103 of this Chapter; and

55 (D) Have at least 2 years of early childhood work experience.

56 (3) Option 3:

- (A) NC Early Childhood Credential or its approved equivalent; and
- (B) Annual completion of at least 1.5 continuing education credits specific to the ages and needs of children in care, in addition to applicable requirements in Rule .1103 of this Chapter; and
- (C) Successful completion of a competency evaluation as set forth in Rule .3218 of this Section; and
- (D) Have at least 3 years of early childhood work experience.

(4) Option 4: Completion of a Child Development Associate (CDA) that is active with credit for prior learning.

(f) Semester hours in early childhood education or child development coursework required to meet the standards set forth in this Rule shall not include the coursework necessary for the North Carolina Early Childhood Credential.

History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS 9858e; 45 CFR 98.45; Eff.

10A NCAC 09 .3214 is proposed for amendment as follows:

10A NCAC 09 .3214 ENHANCED EDUCATION STANDARDS FOR PROGRAM COORDINATORS IN CHILD CARE CENTERS THAT PROVIDE CARE FOR SCHOOL-AGE CHILDREN

(a) This Rule shall apply when evaluating the education of a program coordinator for a child care center that serves school-age children, as required by 10A NCAC 09 .2510(b).

(b) A child care provider meets the two star education standard for program coordinators if the provider meets, at minimum, the requirements set forth in Option 1 or Option 2 as follows:

(1) Option 1: Be enrolled in at least 3 semester hours of school-age care coursework at an accredited college or university.

(2) Option 2: Have at least 3 months licensed school-age care experience or have at least 6 months unlicensed school-age care experience.

(c) A child care provider meets the three star education standard for program coordinators if the provider meets, at minimum, the requirements set forth in Option 1 or Option 2 as follows:

(1) Option 1:

(A) Successful completion of at least 3 semester hours of school-age care coursework at an accredited college or university; and

(B) Have 3 months licensed school-age care experience or have 6 months unlicensed school-age care experience.

(2) Option 2: Have 6 months licensed school-age care experience or have 9 months unlicensed school-age care experience.

(d) A child care provider meets the four star education standard for program coordinators if the provider meets, at minimum, the requirements set forth in Option 1, Option 2, or Option 3 as follows:

(1) Option 1:

(A) Successful completion of at least 3 semester hours of school-age care coursework at an accredited college or university; and

(B) Be enrolled in an additional 3 semester hours of school-age care coursework at an accredited college or university or have 9 months licensed school-age care experience or have 1 year unlicensed school-age care experience.

(2) Option 2: Completion of an AAS degree in early childhood education, child development or a school-age related field at an accredited college or university.

(3) Option 3:

(A) Completion of an AAS degree in any field at an accredited college or university; and

(B) Successful completion of 3 semester hours of school-age care coursework at an accredited college or university.

(e) A child care provider meets the five star education standard for program coordinators if the provider meets, at minimum, the requirements set forth in Option 1, Option 2, Option 3, or Option 4 as follows:

(1) Option 1: Completion of a bachelor's degree in early childhood education, child development or a school-age related field at an accredited college or university.

(2) Option 2:

1 (A) Completion of a bachelor’s degree in any field at an accredited college or university; and
2 (B) Successful completion of 6 semester hours of school-age care coursework at an accredited
3 college or university.

4 (3) Option 3:

5 (A) Successful completion of 9 semester hours of school-age care coursework at an accredited
6 college or university; and

7 (B) Have 3 months licensed school-age care experience or have 6 months unlicensed school-age
8 care experience.

9 (4) Option 4:

10 (A) Successful completion of 6 semester hours of school-age care coursework at an accredited
11 college or university; and

12 (B) Have 6 months licensed school-age care experience or have 9 months unlicensed school-age
13 care experience.

14
15 *History Note:* Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS
16 9858e; 45 CFR 98.45;
17 Eff.
18

19 **10A NCAC 09 .3215 is proposed for amendment as follows:**

20
21 **10A NCAC 09 .3215** **ENHANCED EDUCATION STANDARDS FOR GROUP LEADERS IN CHILD**
22 **CARE CENTERS**

23 (a) This Rule shall apply when evaluating the education of a group leader for a child care center, as required by 10A
24 NCAC 09 .2510(c).

25 (b) A child care provider meets the two star education standard for group leaders if the provider successfully completes
26 BSAC training.

27 (c) A child care provider meets the three star education standard for group leaders if the provider meets, at minimum,
28 the following requirements:

29 (A) Successful completion of BSAC training; and

30 (B) Annual completion of at least 0.5 continuing education credits related to school age care, in
31 addition to applicable requirements in Rules .1103 and .2510 of this Chapter; or

32 (C) Has at least 3 months licensed or unlicensed school age care experience.

33 (d) A child care provider meets the four star education standard for group leaders if the provider meets, at minimum,
34 the requirements set forth in Option 1, Option 2, or Option 3 as follows:

35 (1) Option 1:

36 (A) Successful completion of BSAC training; and

37 (B) Annual completion of at least 1.0 continuing education credits related to school-age care, in
38 addition to applicable requirements in Rules .1103 and .2510 of this Chapter.

39 (2) Option 2: Is currently enrolled in at least 2 semester hours of school-age care coursework at an accredited
40 college or university if BSAC has not yet been completed as set forth in Rule .2510(j) of this Chapter.

41 (3) Option 3:

42 (A) Successful completion of BSAC training; and

43 (B) Have at least 3 months licensed or unlicensed school-age care experience.

44 (e) A child care provider meets the five star education standard for group leaders if the provider meets, at minimum,
45 the requirements set forth in Option 1 or Option 2 as follows:

46 (1) Option 1:

47 (A) Group leader is at least 18 years of age; and

48 (B) Successful completion of BSAC training; and

49 (C) Be enrolled in or have successfully completed at least 2 semester hours of school-age care
50 coursework at an accredited college or university; and

51 (D) Have at least 6 months licensed or unlicensed school-age care experience.

52 (2) Option 2:

53 (A) Group leader is at least 18 years of age; and

54 (B) Successful completion of BSAC training; and

55 (C) Annual completion of at least 1.5 continuing education credits related to school-age care, in
56 addition to applicable requirements in Rules .1103 and .2510 of this Chapter; and

1 (D) Have at least 9 months licensed or unlicensed school-age care experience.

2
3 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS
4 9858e; 45 CFR 98.45;
5 Eff.

6
7 **10A NCAC 09 .3216 is proposed for amendment as follows:**

8
9 **10A NCAC 09 .3216 ENHANCED EDUCATION STANDARDS FOR ADMINISTRATORS OF CHILD**
10 **CARE CENTERS THAT ONLY PROVIDE CARE FOR SCHOOL-AGE**
11 **CHILDREN**

12 (a) This Rule and not 10A NCAC 09 .3211 shall apply when evaluating the education of an administrator, as defined
13 by G.S. 110-86(2a), for a child care center that only provides care to school-age children.

14 (b) A child care provider meets the two star education standard for administrators if the provider meets, at minimum,
15 the requirements set forth in Option 1 or Option 2 as follows:

16 (1) Option 1:

17 (A) Completed or be enrolled in coursework for the NC Early Childhood Administration Credential;
18 and

19 (B) Have at least 1 year licensed or unlicensed school-age care experience.

20 (2) Option 2:

21 (A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher;
22 and

23 (B) Have at least 3 months licensed or unlicensed school-age care experience.

24 (c) A child care provider meets the three star education standard for administrators if the provider meets, at minimum,
25 the requirements set forth in in Option 1 or Option 2 as follows:

26 (1) Option 1:

27 (A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher;
28 and

29 (B) Have at least 6 months licensed or unlicensed school-age care experience.

30 (2) Option 2:

31 (A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher;
32 and

33 (B) Have at least 3 months licensed or unlicensed school-age care experience; and

34 (C) Successful completion of BSAC training.

35 (d) A child care provider meets the four star education standard for administrators if the provider meets, at minimum,
36 the requirements set forth in Option 1 or Option 2 as follows:

37 (1) Option 1:

38 (A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher;
39 and

40 (B) Have at least 1 year licensed or unlicensed school-age care experience.

41 (2) Option 2:

42 (A) Level II NC Early Childhood Administration Credential or its approved equivalent or higher;
43 and

44 (B) Have at least 6 months licensed or unlicensed school-age care experience.

45 (e) A child care provider meets the five star education standard for administrators if the provider meets, at minimum,
46 the requirements set forth in Option 1 or Option 2 as follows:

47 (1) Option 1:

48 (A) Level II NC Early Childhood Administration Credential or its approved equivalent or higher;
49 and

50 (B) Have at least 1 year experience licensed or unlicensed school-age care experience; and

51 (C) Successful completion of BSAC training.

52 (2) Option 2:

53 (A) Level III NC Early Childhood Administration Credential or its approved equivalent; and

54 (B) Have at least 6 months licensed school-age care experience or have 8 months unlicensed school-
55 age care experience.

1 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS
2 9858e; 45 CFR 98.45;
3 Eff.
4

5 **10A NCAC 09 .3217 is proposed for amendment as follows:**

6
7 **10A NCAC 09 .3217 ENHANCED EDUCATION STANDARDS FOR FAMILY CHILD CARE HOME**
8 **OPERATORS**

9 (a) This Rule shall apply when evaluating the education of a family child care home operator.

10 (b) A child care provider meets the two star education standard for a family child care home operator if the provider
11 meets, at minimum, the requirements set forth in Option 1, Option 2, Option 3, or Option 4 as follows:

12 (1) Option 1: Completion of a Child Development Associate (CDA) that is active with no credit for prior
13 learning.

14 (2) Option 2: Successful completion of at least 4 semester hours in early childhood education or child
15 development coursework at an accredited college or university.

16 (3) Option 3: NC Family Child Care Credential or its approved equivalent.

17 (4) Option 4:

18 (A) Have at least 3 years of early childhood work experience; and

19 (B) Annual completion of at least 0.5 continuing education credit specific to the ages and needs of
20 children in care, in addition to applicable requirements in Rule .1703 of this Chapter; or successful
21 completion of a competency evaluation as set forth in Rule .3218 of this Section.

22 (c) A child care provider meets the three star education standard for a family child care home operator if the provider
23 meets, at minimum, the requirements set forth in Option 1, Option 2, or Option 3 as follows:

24 (1) Option 1: Completion of a Child Development Associate (CDA) that is active with credit for prior
25 learning.

26 (2) Option 2:

27 (A) NC Family Child Care Credential or its approved equivalent; and

28 (B) Successful completion of at least 6 semester hours in early childhood education or child
29 development coursework at an accredited college or university.

30 (3) Option 3:

31 (A) Have at least 5 years of early childhood work experience; and

32 (B) Annual completion of at least 1.0 continuing education credit specific to the ages and needs of
33 children in care, in addition to applicable requirements in Rule .1703 of this Chapter; or successful
34 completion of a competency evaluation as set forth in Rule .3218 of this Section.

35 (d) A child care provider meets the four star education standard for a family child care home operator if the provider
36 meets, at minimum, the requirements set forth in Option 1, Option 2, Option 3, or Option 4 as follows:

37 (1) Option 1:

38 (A) NC Family Child Care Credential or its approved equivalent; and

39 (B) Successful completion of at least 12 semester hours in early childhood education or child
40 development coursework at an accredited college or university; and

41 (C) Have at least 1 year early childhood work experience.

42 (2) Option 2:

43 (A) NC Family Child Care Credential or its approved equivalent; or

44 (B) Successful completion of at least 15 semester hours in early childhood education or child
45 development coursework at an accredited college or university; and

46 (C) Have at least 1 year early childhood work experience.

47 (3) Option 3: Completion of an Early Childhood Certificate.

48 (4) Option 4:

49 (A) Have at least 8 years of early childhood work experience; and

50 (B) Annual completion of at least 1.5 continuing education credits specific to the ages and needs
51 of children in care, in addition to applicable requirements in Rule .1703 of this Chapter; or
52 successful completion of a competency evaluation as set forth in Rule .3218 of this Section.

53 (e) A child care provider meets the five star education standard for a family child care home operator if the provider
54 meets, at minimum, the requirements set forth in Option 1, Option 2, Option 3, Option 4, or Option 5 as follows:

55 (1) Option 1:

1 (A) Completion of an AAS degree in early childhood education or child development at an
2 accredited college or university; and
3 (B) Have at least 18 months early childhood work experience.

4 (2) Option 2:

5 (A) Successful completion of all required early childhood education coursework for an AAS
6 degree program an individual is enrolled in at an accredited college or university, without full
7 completion of the degree; and

8 (B) Have at least 3 years of early childhood education work experience.

9 (3) Option 3:

10 (A) Completion of an AAS degree or higher in any major with at least 12 semester hours in early
11 childhood education or child development coursework at an accredited college or university; and
12 (B) Have at least 2 years of early childhood work experience.

13 (4) Option 4:

14 (A) NC Family Child Care Credential or its approved equivalent; and

15 (B) Successful completion of at least 18 semester hours in early childhood education or child
16 development coursework at an accredited college or university; and

17 (C) Have at least 4 years early childhood work experience.

18 (5) Option 5:

19 (A) Have at least 10 years of early childhood work experience; and

20 (B) Annual completion of at least 2.5 continuing education credits specific to the ages and needs
21 of children in care, in addition to applicable requirements in Rule .1703 of this Chapter; and

22 (C) Successful completion of a competency evaluation as set forth in Rule .3218 of this Section.

23 (f) Semester hours in early childhood education or child development coursework required to meet the standards set
24 forth in this Rule shall not include the coursework necessary for the North Carolina Family Child Care Credential.

26 *History Note:* Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS
27 9858e; 45 CFR 98.45;

28 *Eff.*

30 **10A NCAC 09 .3218 is proposed for amendment as follows:**

32 **10A NCAC 09 .3218 COMPETENCY EVALUATIONS**

33 (a) This Rule shall apply to operators of a family child care home, lead teachers, and teachers that choose an
34 education standard option in this Section that requires successful completion of a competency evaluation.

35 (b) Successful completion of a competency evaluation means that an individual has demonstrated the knowledge,
36 skills, and abilities set forth in (c) of this Rule.

37 (c) Competency evaluations shall align with the developmental domains described in the North Carolina
38 Foundations for Early Learning and Development and address an individual's knowledge, skills, and abilities to
39 provide developmentally, linguistically, and culturally appropriate experiences and interactions that support
40 children's development and learning by:

41 (1) supporting children's approaches to learning by providing engaging experiences and interactions that
42 nurture:

43 (A) curiosity, information-seeking, and eagerness;

44 (B) play and imagination;

45 (C) risk-taking, problem-solving, and flexibility; and

46 (C) attentiveness, effort, and persistence.

47 (2) engaging in responsive, respectful interactions with each child and offering guidance that supports
48 children's emotional and social development including:

49 (A) developing a sense of self;

50 (B) developing a sense of self with others; and

51 (C) learning about feelings.

52 (3) providing developmentally appropriate learning opportunities to promote children's health and physical
53 development including:

54 (A) physical health and growth;

55 (B) motor development;

56 (C) self-care; and

1 (D) safety awareness.
2 (4) facilitating verbal and non-verbal communication through back-and-forth exchanges and use
3 developmentally appropriate, play-based experiences to promote language development and foundational
4 emergent literacy skills such as:

- 5 (A) learning to communicate;
6 (B) foundations for reading; and
7 (C) foundations for writing.

8 (5) fostering children’s cognitive development by providing experiences and interactions that support
9 children’s exploration, thinking, and knowledge of the world around them including:

- 10 (A) construction of knowledge;
11 (B) thinking and reasoning;
12 (C) creative expression;
13 (D) social connections;
14 (E) mathematical thinking and expression; and
15 (F) scientific exploration and knowledge.

16 (d) An initial competency evaluation shall be completed by individuals approved by the Division to perform the
17 evaluation and shall include:

18 (1) One in-person unannounced observation of the family child care home operator, lead teacher or teacher
19 performing the duties of their position. The evaluator shall provide written notification to the individual
20 requesting the competency evaluation regarding the unannounced observation to be conducted during
21 operating hours; and

22 (2) A review of documentation submitted by the family child care home operator, lead teacher or teacher
23 that provides evidence of each applicable competency for their employment position, age range of children
24 served, and education standards as set forth in this Rule. Evidence may include:

- 25 (A) sample activity plans written by the individual requesting a competency evaluation,
26 (B) anecdotal notes regarding how competencies are implemented,
27 (C) observation of the individual by a center administrator or other licensed family child care
28 home operator,
29 (D) surveys or other type of feedback from families of children enrolled in the individual’s
30 classroom or family child care home,
31 (E) audio or video recordings of activities with permission from families of children who are
32 participants,
33 (F) self-assessment of the classroom or program using a program assessment tool,
34 (G) performance-based evaluations, and
35 (H) participation in apprenticeships, technical assistance, coaching, or mentoring processes.

36 (e) The evaluator shall document the individual’s competency evaluation using a form approved by the Division that
37 includes all applicable competencies and documents how each competency was met or not met.

38 (f) If the evaluator determines that the provider meets the competencies set forth in (c) of this Rule, the provider will
39 be notified in writing and the successful completion determination shall be valid for a period of three years.

40 (g) To renew a competency evaluation determination, the provider shall submit updated evidence of each applicable
41 competency for their employment position and education standards as set forth in (d)(2) of this Rule at least 30 days
42 prior to expiration of the determination.

43 (h) If the evaluator determines that the provider does not meet the in subsection (c) of this Rule, the provider shall be
44 notified in writing and have an opportunity to provide additional information within thirty (30) days regarding the
45 competency evaluation before a final decision is made by a different evaluator.

46 (i) When an individual does not meet the requirements for successful completion of the competency evaluation,
47 whether or not they submit additional information for a second review, they may resubmit for a competency
48 evaluation six months after the letter notifying them of their unsuccessful evaluation is issued, or when the second
49 review decision issued, whichever is later.

50 (j) Competency evaluation standards and forms may be found on the Division’s website at
51 <https://ncchildcare.ncdhs.gov/Provider/Provider-Documents-and-Forms>.

52
53 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS
54 9858e; 45 CFR 98.45;
55 Eff.

1 **10A NCAC 09. 3219 is proposed for amendment as follows:**

2
3 **10A NCAC 09 .3219** **FAMILY AND COMMUNITY ENGAGEMENT STANDARDS FOR**
4 **CHILD CARE CENTERS**

5 (a) This Rule shall apply to child care centers that have earned a two through five star rated license using the
6 program assessment licensure pathway or the classroom and instructional quality licensure pathway in Rules .3203
7 and .3205 of this Section. A child care center that has earned a two through five star rated license using the
8 accreditation and Head Start licensure pathway in Rule .3207 of this Section shall comply with standards set forth by
9 those organizations for family and community engagement.

10 (b) For a child care center to meet family and community engagement standards at the two star level, the center
11 administrator shall implement the following foundational practices:

12 (1) Provide communication from the center to families regarding program activities in a manner that is
13 responsive to the needs of the families served, such as via text, email, and electronic applications, and
14 considering language comprehension.

15 (2) Offer an annual family conference with teaching staff for the purpose of providing information to the
16 family about their child. During the conference, families are offered an opportunity to set a goal(s) for their
17 child. Conferences shall be conducted in a manner that is convenient for the family such as by telephone,
18 virtually or in-person.

19 (3) Offer annual opportunities for families to share cultural heritage in their child’s classroom.

20 (4) Offer annual volunteer opportunities to families.

21 (5) Communicate with families regarding community resources and services that are available, upon
22 request from the family or when a need is identified by a child’s lead teacher.

23 (c) For a child care center to meet family and community engagement standards at the three star level, the center
24 administrator shall ensure that the child care facility meets the foundational practices set forth in (b) of this Rule plus
25 two additional family and community engagement options from separate categories set forth in (f)(1), (f)(2), and
26 (f)(3) of this Rule. A single activity shall not be used to meet multiple requirements or categories of engagement.

27 (d) For a child care center to meet family and community engagement standards at the four star level, the center
28 administrator shall ensure that the child care facility meets the foundational practices set forth in (b) of this Rule plus
29 three additional family and community engagement options, one from each category set forth in (f)(1), (f)(2), and
30 (f)(3) of this Rule. A single activity shall not be used to meet multiple requirements or categories of engagement.

31 (e) For a child care center to meet family and community engagement standards at the five star level, the center
32 administrator shall ensure that the child care facility meets the foundational practices set forth in (b) of this Rule plus
33 four additional family and community engagement options, with at least one from each category set forth in (f)(1),
34 (f)(2), and (f)(3) of this Rule. A single activity shall not be used to meet multiple requirements or categories of
35 engagement.

36 (f) Categories of family and community engagement shall include the following:

37 (1) Communication Options:

38 (A) Two-way communication with families. “Two-way communication” means that the child care
39 center shares information with families about their child(ren) and that the families may share
40 information with the child care center about their child(ren) in a manner that is available and
41 accessible to the family.

42 (B) A family resource area is accessible in the child care center that includes information
43 regarding community resources and services that assist families with knowledge, support, and
44 advocacy for their child in the languages of the children and families being served by the child
45 care center.

46 (C) Family and teacher conferences are offered at least twice annually to discuss child needs and
47 progress toward individual goals and to receive feedback from families regarding their child(ren)’s
48 experiences at home and at the child care facility. During each conference, families are offered an
49 opportunity to set a goal(s) for their child. Conferences shall be conducted in a manner that is
50 convenient for the family such as by telephone, virtually or in-person.

51 (D) The child care center offers families connection to local community services and resources on
52 at least a quarterly basis, such as via newsletters, email, text, electronic applications, community
53 resource websites, and in-person opportunities with local community services.

54 (2) Engagement and Leadership Options:

1 (a) This Rule shall apply to operators of a family child care home that have earned a two through five star rated
2 license using the program assessment licensure pathway or the classroom and instructional quality licensure
3 pathway in Rules .3204 and .3206 of this Section. Operators of a family child care home that have earned a two
4 through five star rated license using the accreditation and Head Start licensure pathway in Rule .3207 of this Section
5 shall comply with standards set forth by those organizations for family and community engagement.

6 (b) For a family child care home to meet family and community engagement standards at the two star level, the
7 operator shall implement the following foundational practices:

8 (1) Have a plan that will encourage family participation that shall be reviewed with the family on or before
9 the child's first day of attendance. A copy of the plan shall be given to the family at the time of review.

10 The plan shall include the following:

11 (A) a procedure for enrolling a child that encourages families to visit the family child care home
12 prior to the first day of attendance;

13 (B) encouragement of family participation in the family child care home, including information
14 regarding scheduled activities, sharing cultural heritage and volunteer opportunities;

15 (C) opportunities for the operator to meet with families to discuss their child's needs and progress
16 and to exchange information about the family child care home;

17 (D) a procedure for families who need information or who have complaints about the family child
18 care home.

19 (2) Provide communication to families regarding family child care home activities in a manner that is
20 responsive to the needs of the families served, such as via text, email, and electronic applications, and
21 considering language comprehension.

22 (3) Communicate with families regarding community resources and services that are available, upon
23 request from the family or when a need is identified by the operator.

24 (c) For a family child care home to meet family and community engagement standards at the three star level, the
25 operator shall ensure implementation of foundational practices set forth in (b) of this Rule plus one additional family
26 and community engagement option from the categories set forth in (f)(1), (f)(2), and (f)(3) of this Rule.

27 (d) For a family child care home to meet family and community engagement standards at the four star level, the
28 operator shall ensure implementation of foundational practices set forth in (b) of this Rule plus two additional family
29 and community engagement options from separate categories set forth in (f)(1), (f)(2), and (f)(3) of this Rule. A
30 single activity shall not be used to meet multiple requirements or categories of engagement.

31 (e) For a family child care home to meet family and community engagement standards at the five star level, the
32 operator shall ensure implementation of foundational practices set forth in (b) of this Rule plus three additional
33 family and community engagement options, with at least one from each category set forth in (f)(1), (f)(2), and (f)(3)
34 of this Rule. A single activity shall not be used to meet multiple requirements or categories of engagement.

35 (f) Categories of family and community engagement shall include the following:

36 (1) Communication Options:

37 (A) Two-way communication with families. "Two-way communication" means that the operator
38 shares information with families about their child(ren) and that the families may share information
39 with the operator about their child(ren) in a manner that is available and accessible to the families
40 in care.

41 (B) Resources for families are accessible in the family child care home that include information
42 regarding community resources and services that assist families with knowledge, support, and
43 advocacy for their child in the languages of the children and families being served by the operator
44 of the family child care home.

45 (C) A family conference with the operator is offered at least twice annually to discuss child needs
46 and progress toward individual goals and to receive feedback from families regarding their
47 child(ren)'s experiences at home and at the family child care home. During the conference,
48 families are offered an opportunity to set a goal(s) for their child. Conferences shall be conducted
49 in a manner that is convenient for the family such as by telephone, virtually or in-person.

50 (D) The operator offers families connection to local community services and resources on at least
51 a quarterly basis, such as via newsletters, email, text, electronic applications, community resource
52 websites, and in-person opportunities with local community services.

53 (2) Engagement and Leadership Options:

54 (A) The operator has a structured, ongoing process to receive and review suggestions and
55 recommendations from families, including anonymously. The operator considers family feedback
56 for planning within the family child care home.

- 1 (B) The operator offers an enrollment orientation that includes an opportunity for families and
2 child(ren) to visit the family child care home prior to the first day of enrollment.
3 (C) The operator offers at least one family event annually, which may include activities that are
4 culturally responsive to the heritage and practices of enrolled families.
5 (D) The operator, families, and service providers shall collaboratively plan to ensure children’s
6 needs and goals are being addressed during their daily activities, not only during scheduled time
7 with the service provider. Service providers include, but are not limited to, speech therapists,
8 occupational therapists, behavior specialists, physical therapists, and intervention service
9 specialists.
10 (E) The operator offers an annual evaluation or survey to families, including the option to reply
11 anonymously. The operator considers family feedback for reciprocal planning within the family
12 child care home.
13 (F) The operator has a plan for children’s transitions that is shared with families at the time of
14 enrollment. The transition plan shall include a child’s transition from home to enrollment in the
15 family child care home and a child’s transition to another program, including Kindergarten. The
16 operator provides families the opportunity to provide feedback on transition plans to address the
17 individual needs of their child(ren).
18 (G) The operator offers a family council, advisory board, or family representative role to act as a
19 liaison for responsive and reciprocal planning within the family child care home.

20 (3) Educational Opportunity Options:

- 21 (A) The operator communicates with families regarding at least one educational opportunity
22 annually where the operator and families learn together.
23 (B) The operator communicates with families regarding at least one educational opportunity
24 annually where the operator and families learn together about a topic identified as a need for the
25 family child care home based on family feedback.
26 (C) The operator communicates with families regarding at least one educational opportunity
27 annually hosted by a local community resource that the operator and families may attend together.
28 (D) The operator communicates with families regarding at least one educational opportunity
29 annually regarding one of the following topics:
30 (1) social emotional health;
31 (2) challenging behaviors; or
32 (3) culturally responsive practices.
33 (E) The operator provides supports that anticipate and remove barriers for families and enable
34 family involvement, at the family child care home, such as but not limited to, virtual options with
35 technology support, interpreter services, child appropriate activities, care for children during the
36 event, meals or snacks during events or providing materials for families to take home related to the
37 event.

38
39 *History Note:* Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2024-34; 42 USCS 9858c; 45
40 CFR 98.1; 45 CFR 98.16;
41 Eff.
42

43 **10A NCAC 09 .3221 is proposed for amendment as follow:**

44
45 **10A NCAC 09 .3221 CONTINUOUS QUALITY IMPROVEMENT (CQI) STANDARDS**

- 46 (a) This Rule shall apply to child care facilities that have earned a two through five star rated license using the
47 program assessment licensure pathway or the classroom and instructional quality licensure pathway in Rules .3203,
48 .3204, .3205 and .3206 of this Section. Child care facilities that have earned a two through five star rated license
49 using the accreditation and Head Start licensure pathway in Rule .3207 of this Section shall comply with standards
50 set forth by those organizations for continuous quality improvement.
51 (b) Continuous Quality Improvement (CQI) means a process that individuals and facilities shall use to identify areas
52 of growth and determine a path toward enhanced teaching, learning, and practices to achieve better outcomes for
53 children, staff, and programs. The CQI process builds over time, using established goals to support individuals and
54 facilities in achieving and sustaining continual improvements.
55 (c) All administrators and other staff members with caregiving responsibilities on a routine schedule of at least once
56 per week shall complete an individual continuous quality improvement plan. This shall also apply to operators of

1 centers located in a residence, as described in Rule .0102 of this Chapter, and their employed staff members. Each
2 individual continuous quality improvement plan shall be reviewed annually, accompany the professional
3 development plan required in Rule .1104 of this Chapter, be maintained in the individual's personnel file, and
4 include:

5 (1) Identification of the resources or supports needed by the individual to achieve the established goal(s) of
6 the professional development plan, including but not limited to, the time estimated to achieve the goal and
7 specific support needed from the operator to complete the goal;

8 (2) Documentation of the individual's efforts toward completion of the established goal(s), changes to the
9 established goal and challenges experienced;

10 (3) Development of a new goal during the annual review if established goal is achieved or changed; and

11 (4) Documentation from the individual regarding how their progress or completion of a goal has enhanced
12 their knowledge, skills, and abilities.

13 (d) The center administrator of a child care center shall also complete a continuous quality improvement plan that
14 addresses programmatic goals. The programmatic continuous quality improvement plan shall be updated annually,
15 maintained on file at the center, and include:

16 (1) Identification of at least one programmatic goal, the timeframe estimated to achieve the goal and the
17 steps that will be taken by the center administrator to complete the goal;

18 (2) Documentation of the reason or source of need for each goal, such as sustaining programmatic
19 achievements, feedback received from staff or families, or licensure pathway requirements;

20 (3) Identification of resources needed by the center administrator to achieve the programmatic goal,
21 including but not limited to materials, technical assistance, participation of staff, or other items specific to
22 the goal;

23 (4) Documentation of supports offered by the program to encourage longevity and retention of staff;

24 (5) Documentation of efforts toward completion of the established goal, changes to the established goal and
25 challenges experienced; and

26 (6) Development of a new goal during the annual review if established goal is achieved or changed.

27 (e) The operator of a family child care home and any additional caregivers, as set forth in Rule .1729, shall complete
28 a continuous quality improvement plan that addresses professional goals. The continuous quality improvement plan
29 shall be updated annually, accompany the professional development plan required in Rule .1703(f) of this Chapter,
30 be maintained in the operator's personnel file, and include:

31 (1) Identification of at least one professional goal, the timeframe estimated to achieve the goal, the
32 resources needed to achieve the goal, and the steps that will be taken by the operator to complete the goal;

33 (2) Documentation of the reason or source of need for the goal, such as sustaining programmatic
34 achievements, feedback received from families, or licensure pathway requirements;

35 (3) Documentation of efforts toward completion of the established goal, changes to the established goal and
36 challenges experienced;

37 (4) Development of a new goal during the annual review if established goal is achieved or changed; and

38 (5) Documentation from the operator regarding how progress toward or completion of a goal has enhanced
39 their knowledge, skills, and abilities.

40 (f) Sample continuous quality improvement plan templates may be found on the Division's website at
41 <https://ncchildcare.ncdhhs.gov/Provider/Provider-Documents-and-Forms> . Another form may be used other than the
42 sample template provided by the Division as long as the form includes the information set forth in this Rule.

43
44 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2024-34; 42 USCS 9858e; 45
45 CFR 98.45;
46 Eff.
47

48 **10A NCAC 09 .3222 is proposed for amendment as follows:**

49
50 **10A NCAC 09 .3222 MAINTAINING THE STAR RATING**

51 (a) A representative of the Division may make announced or unannounced visits to facilities to assess on-going
52 compliance with the requirements of a star rating after it has been issued. When the Division representative documents
53 violations with the standards that determine a rating, the representative shall take one or more of the following actions:

54 (1) advise the operator to submit written verification that the violations have been corrected;

55 (2) return to the facility for an unannounced visit at a later date to determine if compliance has been
56 achieved;

- 1 (3) require a program assessment be conducted pursuant to .3203 or .3204 of this Section, if applicable
2 to the licensure pathway;
3 (4) request verification of accreditation award status from accrediting organization, if applicable to the
4 licensure pathway;
5 (5) request verification of Head Start designation from grantee, if applicable to the licensure pathway;
6 (6) require a complete reassessment of requirements of the star rating issued to the facility;
7 (7) require that the star rating be reduced; or
8 (8) recommend administrative action in accordance with G.S. 110, Article 7 and this Chapter.

9 (b) If changes unrelated to employment occur at a facility that result in noncompliance with the standards in this
10 Section for the star rating issued, the operator shall correct the noncompliance within 30 days. If the operator does not
11 correct the noncompliance within 30 days, the operator shall notify the Division. Based upon the information obtained,
12 the Division shall take any of the actions described in Paragraph (a) of this Rule.

13 (c) If employment-related changes occur at a facility that result in noncompliance with or a failure to meet the
14 standards in the Section for the star rating issued, the operator shall correct the noncompliance within six months. If
15 the operator does not correct the noncompliance within six months, the operator shall notify the Division. Based upon
16 the information obtained, the Division shall take any of the actions described in Paragraph (a) of this Rule.

17 (d) Each child care facility licensed under this Section with a two through five star rated license shall be reassessed
18 by the Division at least once every three years to ensure compliance with pathway requirements.

19 (e) The Division shall provide for one evaluation using an approved program assessment tool referenced in Rules
20 .3203 and .3204 of this Section, free of charge, once every three years when reassessing the ratings of operators that
21 select the program assessment licensure pathway.

22 (f) Notwithstanding the above, if a facility loses its accreditation or Head Start designation, it shall notify the Division
23 within thirty calendar days from the date of termination and submit an application at that time for a two through five-
24 star rated license that indicates the alternate licensure pathway selection. The operator of the child care facility shall
25 have a complete assessment conducted within six months from the date of termination or be reduced to one-star so
26 long as the requirements for a one-star rating described in G.S. 110-91 and this Chapter are met.

27 (g) Notwithstanding the above, if a facility allows its accreditation or Head Start designation to lapse or expire prior
28 to applying for a two through five star rated license using an alternate licensure pathway, the license shall be reduced
29 to one-star so long as the requirements for a one-star rating described in G.S. 110-91 and this Chapter are met.

30
31 *History Note:* Authority G.S. 110-88(7); 110-90(4); 143B-168.3; 42 USCS 9858e; 45 CFR 98.45;
32 Eff.

33
34 **10A NCAC 09 .3223 is proposed for amendment as follows:**

35
36 **10A NCAC 09 .3223 HOW AN OPERATOR MAY REQUEST OR APPEAL A CHANGE IN RATING**

37 (a) An operator may request a change in the star rating, including licensure pathway selection, by following the
38 procedures in Rule .3202 of this Section.

39 (b) After an initial four or five star rating is issued, the Division shall provide one evaluation of program standards
40 using the program assessment tool referenced in Rules .3203 and .3204 of this Section during each three year period
41 thereafter at no cost to the operator. An operator may have extra program assessments, as referenced in Rules .3203
42 and .3204 of this Section, performed at his or her own expense in addition to the free one performed by the Division.
43 The additional program assessments shall be completed by individuals approved by the Division to perform them.

44 (c) An operator may appeal the reduction of a star rating as provided in G.S. 110-94.

45
46 *History Note:* Authority G.S. 110-88(7); 110-90(4); 143B-168.3;
47 Eff.

48
49 **10A NCAC 09 .3224 is proposed for amendment as follows:**

50 **10A NCAC 09 .3224 QUALITY POINTS OF DISTINCTION (QPD)**

51 (a) A child care operator may choose to request one or more quality points of distinction (QPD) to accompany the
52 issuance of a two through five star license earned through compliance with any licensure pathway requirements of
53 this Section. Quality points of distinction shall not be used to earn a star rating. Verification of requirements for

1 each quality point of distinction shall be reassessed at least once every three years, at the time of reassessment for a
2 two through five star rated license.

3 (b) The Division shall issue quality points of distinction upon verification of the requirements set forth in this Rule.

4 (c) An Education QPD may be requested when at least one of the following requirements is met:

5 (1) 75% of teachers employed by a child care facility have earned an AAS degree or higher in early
6 childhood education, child development, or related field.

7 (2) 75% of lead teachers employed by a child care facility have earned a BA/BS degree or higher in early
8 childhood education, child development, or related field.

9 (3) All lead teachers employed by a child care facility have earned an AAS degree or higher in early
10 childhood education, child development, or related field.

11 (4) The operator of a family child care home has earned a BA/BS degree or higher in early childhood
12 education, child development, or related field.

13 (5) The operator of a family child care home has earned an AAS degree in early childhood education, child
14 development, or related field and is enrolled in a BA/BS degree program in early childhood education or
15 child development.

16 (6) 75% of teachers employed by a child care facility have an active Child Development Associate (CDA).

17 (7) The operator of a child care facility participates in the T.E.A.C.H. program or other education initiative
18 that supports employed staff that want to enroll in or who are enrolled in college coursework.

19 (8) 75% of lead teachers and educators, as defined in this Section, have an active certification on the NC
20 Early Care and Education Professional Certification Scale at
21 https://www.ncidp.org/documents/EEC_ECE_Scale.pdf .

22 (9) The operator of a family child care home has an active certification on the NC Early Care and
23 Education Professional Certification Scale at https://www.ncidp.org/documents/EEC_ECE_Scale.pdf .

24 (d) A Professional Development QPD may be requested when at least one of the following requirements is met:

25 (1) The operator of a family child care home completes 20 training hours annually, in addition to training
26 hours required for their licensure level as set forth in this Section and in addition to ongoing training
27 requirements set forth in Rule .1703 of this Chapter and education requirements set forth in Rule .3217 of
28 this Section.

29 (2) The operator of a family child care home is an approved trainer for an established training course as set
30 forth in Rule .1703 of this Chapter and provides at least one training course for early childhood
31 professionals in their community annually or when the operator develops a training course, obtains
32 approval for training as set forth in Rule .1703 of this Chapter, and provides at least one training course for
33 early childhood professionals in their community annually.

34 (3) A center administrator or operator of a family child care home provides evidence of active membership
35 in a professional or community organization.

36 (4) A child care facility operator compensates staff members for time spent completing professional
37 development activities.

38 (5) A child care facility operator compensates staff members for the cost of professional development
39 activities.

40 (6) A child care center operator pays for at least 50% of staff members to have an active membership in a
41 professional or community organization and provides evidence of the paid costs and memberships.

42 (7) A child care center operator employs at least one staff member who is an approved trainer for an
43 established training course as set forth in Rule .1103 of this Chapter and the approved trainer provides at
44 least one training course for all employees annually or when the child care center operator, administrator or
45 a staff member develops a training course, obtains approval for training as set forth in Rule .1103 of this
46 Chapter, and provides at least one training course annually for employed staff members.

47 (8) The child care facility allows early childhood education practicum students to complete required
48 activities in their facility when the individuals are not employed by the facility.

49 (e) A Longevity and Experience QPD may be requested when at least one of the following requirements is met:

50 (1) The operator of a family child care home has been in operation for at least five years with a compliance
51 history score of 90% or higher.

52 (2) The operator of a family child care home has been in operation for at least five years with a four or five
53 star rated license.

54 (3) A center administrator has at least ten years of child care administrative work experience in a licensed
55 child care facility.

1 (4) 75% of lead teachers and teachers have at least ten years of early childhood work experience in a
2 licensed child care facility.

3 (5) All lead teachers and teachers have at least five years of early childhood work experience in a licensed
4 child care facility and have been employed by no more than two different child care facilities.

5 (6) The child care center has a combined turnover rate of 20% or less for the administrator, lead teacher and
6 teacher positions over the last 12 months.

7 (7) In stand-alone school age care facilities, 75% of group leaders have at least five years of school age care
8 work experience in a licensed or unlicensed school age program and have been employed by no more than
9 two different child care facilities.

10 (f) A Staff Supports and Benefits QPD may be requested when at least one of the following requirements is met:

11 (1) A child care facility offers a staff benefits package that includes at least three of the following benefits:
12 paid time off for vacation, sick and/or personal leave, paid family and medical leave, fully or partially paid
13 health insurance, retirement contribution, or annual bonuses.

14 (2) A child care facility offers two hours of paid planning time for lead teachers on a weekly basis, during a
15 time when the lead teacher is not responsible for supervision of children.

16 (3) A child care facility offers at least two mental health supports such as training offered on-site, paid time
17 off for wellness, mental health coverage as part of health benefits or assistance in obtaining access to other
18 services as requested.

19 (4) A child care center pays for costs associated with enrolling in and completing early childhood education
20 or child development coursework.

21 (g) A Program Features QPD may be requested when at least one of the following requirements is met:

22 (1) A child care facility implements an approved curriculum for all age groups served as defined in Rule
23 .0102(11) of this Chapter when not required for licensure level or pathway.

24 (2) A child care facility uses a program assessment tool for self-study, self-assessment and continuous
25 quality improvement when not required for licensure level or pathway.

26 (3) A child care center earns a 5.0 or higher on every classroom assessed with ERS-3 and SACERS-U.

27 (4) A child care facility uses an approved formative assessment tool for all age groups served as defined in
28 Rules .3205 or .3206 of this Section when not required for licensure level or pathway.

29 (5) A child care facility implements all family and community engagement practices as set forth in Rules
30 .3219 and .3220 of this Section, rather than only the practices required for licensure level or pathway.

31 (6) A child care administrator or operator of a family child care home participates in a coaching or
32 mentoring process as set forth in Rules .3205 or .3206 of this Section when not required for licensure level
33 or pathway.

34 (h) A Health & Wellness Opportunities QPD may be requested when at least one of the following requirements is
35 met:

36 (1) A child care facility provides support to staff members and families regarding challenging behaviors
37 using community, regional or state resources.

38 (2) A child care center has a licensed or registered nurse on staff for at least half of the operating hours of
39 the program.

40 (3) A child care facility offers oral health education and opportunities such as dental screenings and
41 outreach with community, regional or state resources.

42 (4) A child care facility offers supplemental programs or contracts with external vendors to provide
43 opportunities for growth in specialty areas, including but not limited to tumbling, art, bookmobile, sports,
44 dance, music or yoga.

45 (5) A child care facility completes REACH Healthy Child Care recognition. Information for this program is
46 available at <https://reach-recognition.org/>.

47 (6) A child care facility completes Be Active Kids/Go NAPSACC Program. Information for this program is
48 available at <http://www.beactivekids.org/>.

49 (7) A child care facility participates in Farm to Early Education. Information for this program is available at
50 <https://cefs.ncsu.edu/food-system-initiatives/nc-farm-to-early-care-and-education/>.

51 (8) A child care facility engages with a Child Care Health Consultant by participating in one cycle of
52 assessment using the NC Health and Safety Assessment Tool annually.

53 (9) A child care facility implements 5 of 6 of the following educational opportunities regarding green
54 environment practices:

55 (A) Provides outdoor learning environments that have areas of shade provided by trees and that
56 use heat tolerant/drought resistant plant material.

1 (B) Provides an indoor play space allowing gross motor play, running, jumping and physically
2 active games in an air conditioned /heated environment.

3 (C) Paints walkways and pavement in heat reflecting colors in an effort to decrease surface
4 temperatures and associated burn hazards.

5 (E) Ensure use of non-toxic cleaning products throughout the facility.

6 (F) Creates and maintains a pollinator and/or a vegetable garden as a method to educate and
7 emphasize ecofriendly change and lifestyle.

8 (G) Implement teaching practices that support reducing and recycling such as ensuring use of
9 recyclable products when reusable products are unavailable, providing reusable food service
10 products for meals and/or snacks, and
11 installing a system of recycling in the facility where trash and recyclables are in separate
12 containers and disposed of properly.

13 (i) A Language Concentration QPD may be requested when at least one of the following requirements is met:

14 (1) Children enrolled in a child care facility are participating in use of languages other than English on a
15 regular basis.

16 (2) A child care facility is a language immersion program.

17 (3) A child care facility is a bilingual program.

18 (j) A Culinary Emphasis QPD may be requested when at least one of the following requirements is met:

19 (1) An operator of a family child care home has completed a food handler program training or certification,
20 such as ServSafe.

21 (2) A chef or cook position at a child care center has completed culinary classes or has completed food
22 handler program training or certification, such as ServSafe.

23 (3) A child care facility utilizes farm-to-table practices as part of their food and nutrition program.

24 (k) A Ratio, Group Size, and Enrollment Practices QPD may be requested when at least one of the following
25 requirements is met:

26 (1) A child care center reduces staff to child ratios or group sizes when not required for licensure level or
27 pathway.

28 (2) An operator of a family child care home voluntarily reduces enrollment when not required for licensure
29 level or pathway.

30 (l) A Supplemental Environments QPD may be requested when at least one of the following areas are provided
31 within a child care center or family child care home: gyms, active play area, sensory focused environments, gardens
32 or naturalized outdoor play environments.

33 (m) A NC Breastfeeding-Friendly Child Care Designation Program QPD may be requested when this designation is
34 earned by meeting program requirements set forth at <https://www.ncdhhs.gov/ncbfccdesignation> .

35 (n) A Military Child Care in Your Neighborhood – PLUS QPD may be requested by child care facilities
36 participating in the fee assistance program for military families. Information for this program is available at
37 <https://ncchildcare.ncdhhs.gov/Provider?Child-Care-Fee-Assistance-for-Military-Families> .

38 (o) A Green Environments and Practices QPD may be requested when one of the following requirements is met:

39 (1) A child care facility operates in a LEED Certified Building as described at
40 <https://www.usgbc.org/leed> .

41 (2) A child care facility implements six of the following ten practices: –

42 (A) Provides outdoor learning environments that have areas of shade provided by trees and that
43 use heat tolerant/drought resistant plant material.

44 (B) Provides an indoor play space allowing gross motor play, running, jumping and physically
45 active games in an air conditioned /heated environment.

46 (C) Paints walkways and pavement in heat reflecting colors.

47 (D) Sets goal to be net zero energy in ten years and documents efforts and progress toward that
48 goal.

49 (E) Installs LED (light emitting diode) light bulbs or energy saving florescent bulbs throughout
50 the facility.

51 (F) Ensure use of environmentally safe cleaning products throughout the facility.

52 (G) Creates and maintains a pollinator and/or a vegetable garden as a method to educate and
53 emphasize ecofriendly change and lifestyle.

54 (H) Install a system of recycling in the facility where trash and recyclables are in separate
55 containers and disposed of properly.

56 (I) Provides reusable food service products for meals and/or snacks.

1 ~~(J) Ensure plastic and paper products used in the facility are recyclable and disposed of properly.~~

2
3 *History Note:* Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2024-34; 42 USCS 9858e; 45
4 CFR 98.45;
5 Eff.

6
7 **10A NCAC 09 .3225 is proposed for amendment as follows:**

8
9 **10A NCAC 09 .3225 Accrediting Organizations and Star Rating Equivalency**

10 (a) The Commission shall reassess an accreditation's star-rating equivalency, as set forth in Rule .3207 of this
11 Section, if the standard for earning the accreditation is revised and may increase or decrease the accreditation's star
12 rating equivalency based on the reassessment in its discretion.

13 (b) The Commission may approve additional accreditations from national early childhood education accreditation
14 organizations and determine their star-rating equivalency upon request by the accrediting organization.

15 (c) Reassessments and assessments described in (a) and (b) of this Rule shall be based on educational and
16 programmatic standards of the accrediting organization and how they compare to or exceed the requirements of this
17 Section.

18
19 *History Note:* Authority S.L. 2024-34; 42 USCS 9858e; 45 CFR 98.45;
20 Eff.

21
22 **10A NCAC 09 .3226 is proposed for amendment as follows:**

23
24 **10A NCAC 09 .3226 Approval of Formative Assessments**

25 (a) The Commission may approve formative assessments to support implementation of classroom and instructional
26 quality licensure requirements set forth in Rules .3205 and .3206 of this Section upon request.

27 ~~(b) Approval of formative assessments shall be based on the same standards used to approve formative assessments~~
28 ~~for NC Pre-K Programs. Information regarding approved formative assessments may be found on the Division's~~
29 ~~website at <https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum>.~~

30 (b) The Commission shall approve formative assessments that meet the following criteria:

31 (1) the formative assessment aligns with the developmental domains described in the North Carolina
32 Foundations for Early Learning and Development;

33 (2) the formative assessment is research-based;

34 (3) the formative assessment has been developed and validated for the intended population;

35 (4) the formative assessment requires collection of information in a variety of ways such as observations of
36 children during daily routines, play and group activities; teacher documentation of children's activities,
37 experiences and work; collaboration with families; and communication with service providers when
38 applicable; and

39 (5) the formative assessment promotes documentation of children's development and progress in a way that
40 is sensitive and responsive to the needs of all children from culturally, linguistically, economically, and
41 ability diverse backgrounds.

42 Information regarding approved formative assessments may be found on the Division's website at
43 <https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum>.

44
45 *History Note:* Authority S.L. 2024-34; 42 USCS 9858e; 45 CFR 98.45;
46 Eff.

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53 **SECTION .0100 DEFINITIONS**

54
55 **10A NCAC 09 .0102 is proposed for amendment as follows:**

1 **10A NCAC 09 .0102 DEFINITIONS**

2 The terms and phrases used in this Chapter are defined as follows:

- 3 (1) "Activity area" means a space that is accessible to children and where related equipment and
4 materials are kept in accordance with G.S. 110-91(12).
- 5 ~~(4)~~(2) "Administrative work experience" shall mean verifiable experience in completing
6 administrative duties such as planning, implementation and oversight of operational and
7 personnel systems in a licensed child care arrangement or a child care arrangement not
8 required to be licensed as identified in G.S. 110-86(2).
- 9 ~~(2)~~(3) "Agency" as used in this Chapter means Division of Child Development and Early Education,
10 Department of Health and Human Services located at 333 Six Forks Road, Raleigh, North
11 Carolina 27609.
- 12 ~~(3)~~(4) "Appellant" means the person or persons who request a contested case hearing.
- 13 ~~(4)~~(5) "Asbestos hazard" means a condition that results in exposure to asbestos in excess of the
14 standards set forth in 10A NCAC 41C .0607(a) or to a category of asbestos containing
15 material defined at 40
16 C.F.R. 763.88(b)(1)-(6).
- 17 ~~(5)~~(6) "Basic School-Age Care" training (BSAC training) means the training on the elements of
18 quality afterschool care for school-age children, developed by the North Carolina State
19 University Department of 4-H Youth Development and subsequently revised by the North
20 Carolina School-age Quality Improvement Project.
- 21 ~~(6)~~(7) "Biocontaminant" means blood, bodily fluids, or excretions that may spread infectious disease.
- 22 ~~(7)~~(8) "Centers Located In a Residence" means a child care center located in a residence where, at
23 any one time, more than two children, but less than fifteen children, receive child care.
- 24 ~~(8)~~(9) "Child Care Center" means an arrangement where, at any one time, there are three or more
25 preschool-age children or nine or more school-age children receiving child care. This does
26 not include arrangements described in Item ~~(4)~~22 of this Rule regarding Family Child Care
27 Homes.
- 28 ~~(9)~~(10) "Child Care Facility" means child care centers, family child care homes, and any other child
29 care arrangement not excluded by G.S. 110-86(2) that provides child care, regardless of the
30 time of day, wherever operated, and whether or not operated for profit.
- 31 ~~(4)~~(11) "Child care provider" as defined by G.S. 110-90.2(a)(2) includes the following employees who
32 have contact with the children in a child care program:
- 33 (a) facility directors;
 - 34 (b) child care administrative staff;
 - 35 (c) teachers;
 - 36 (d) teachers' aides;
 - 37 (e) substitute providers;
 - 38 (f) uncompensated providers;
 - 39 (g) cooks;
 - 40 (h) maintenance personnel; and
 - 41 (i) drivers.
- 42 ~~(4)~~(12) "Child Development Associate Credential" means the national early childhood credential
43 administered by the Council for Early Childhood Professional Recognition.
- 44 ~~(4)~~(13) "Curriculum" means a curriculum that has been approved as set forth in these Rules by the NC
45 Child Care Commission as comprehensive, evidenced-based, and with a reading and literacy
46 component.
- 47 ~~(4)~~(14) "Developmentally appropriate" means suitable to the chronological age range and
48 developmental characteristics of a specific group of children.
- 49 ~~(4)~~(15) "Division" means the Division of Child Development and Early Education within the
50 Department of Health and Human Services.
- 51 ~~(4)~~(16) "Domains" means the developmental areas of learning described in the North Carolina
52 Foundations for Early Learning and Development © 2013, available on the Division's website
53 at https://ncchildcare.nc.gov/providers/pv_foundations.asp. This instrument is incorporated
54 by reference and does not include subsequent editions. The domains address children's
55 emotional and social development, health and physical development, approaches to play and
56 learning, language development, and communication and cognitive development.

- 1 ~~(16)~~(17) "Drop-in care" means a child care arrangement where children attend on an intermittent,
2 unscheduled basis.
- 3 ~~(17)~~(18) "Early Childhood Environment Rating Scale – Third Edition" "~~Early Childhood Environment Rating~~
4 ~~Scale – Revised Edition~~" (Harms, Clifford, and Cryer, ~~2005-2014~~, published by Teachers College
5 Press, New York, NY) is the instrument used to evaluate the quality of care received by a group of
6 children in a child care center using the program assessment licensure pathway. ~~center, when the~~
7 ~~majority of children in the group are two and a half years old through five years old, to achieve three~~
8 ~~or more points for the program standards of a rated license.~~ This instrument is incorporated by
9 reference and does not include subsequent editions. A copy of the scale is available for purchase on
10 the Teachers College Press website at
11 https://www.tpress.com/search?search_term=assessment+materials. The cost of this scale is
12 ~~twenty-five~~ twenty-eight dollars and ninety-five cents (~~\$25.95~~ 28.95). A copy of this instrument is
13 on file at the Division at the address given in Item (23) of this Rule and is available for public
14 inspection during regular business hours. For the purposes of this Rule, "regular business hours" for
15 the Division means 8 a.m. to 5 p.m. during weekdays, excluding state holidays.
- 16 ~~(18)~~(19) "Early childhood education work experience" shall mean verifiable caregiving experience with children
17 ages birth through five years of age in licensed child care arrangements or child care arrangements not
18 required to be licensed as identified in G.S. 110-86(2).
- 19 ~~(19)~~(20) "Experience working with school-age children" means working with school-age children as a child
20 care administrator, program coordinator, group leader, assistant group leader, lead teacher, teacher
21 or aide.
- 22 ~~(20)~~(21) "Family Child Care Environment Rating Scale – Third Edition" "~~Family Child Care Environment~~
23 ~~Rating Scale – Revised Edition~~" (Harms, Cryer and Clifford, ~~2007~~ 2019, published by Teachers
24 College Press, New York, NY) is the instrument used to evaluate the quality of care received by
25 children in family child care homes using the program assessment licensure pathway. ~~to achieve~~
26 ~~three or more points for the program standards of a rated license.~~ This instrument is incorporated by
27 reference and does not include subsequent editions. A copy of the scale is available for purchase on
28 the Teachers College Press website at
29 https://www.tpress.com/search?search_term=assessment+materials. The cost of this scale is
30 ~~twenty-five~~ twenty-eight dollars and ninety-five cents (~~\$25.95~~ 28.95). A copy of this instrument is
31 on file at the Division at the address given in Item (23) of this Rule and is available for public
32 inspection during regular business hours.
- 33 ~~(21)~~(22) "Family Child Care Home", as defined by G.S. 110-86(3)(b) means a child care arrangement located in
34 a residence where, at any one time, more than two children, but less than ~~nine~~ eleven children, receive
35 child care. Family child care home operators must reside at the location of the family child care
36 home.
- 37 ~~(22)~~(23) "First aid kit" is a collection of first aid supplies (such as bandages, tweezers, disposable nonporous
38 gloves, micro shield or face mask, liquid soap, cold pack) for treatment of minor injuries or
39 stabilization of major injuries.
- 40 ~~(23)~~(24) "Group" means the children assigned to a specific caregiver or caregivers, to meet the staff/child
41 ratios set forth in G.S. 110-91(7) and in this Chapter, using space the Division has identified for
42 each group.
- 43 ~~(24)~~(25) "Health care professional" means:
44 (a) a physician licensed in North Carolina;
45 (b) a nurse practitioner approved to practice in North Carolina; or
46 (c) a licensed physician assistant.
- 47 ~~(25)~~(26) "Household member" means a person who resides in a family home as evidenced by factors
48 including maintaining clothing and personal effects at the household address, receiving mail at the
49 household address, using identification with the household address, or eating and sleeping at the
50 household address on a regular basis.
- 51 ~~(26)~~(27) "If weather conditions permit" means:
52 (a) temperatures that fall within the guidelines developed by the Iowa Department of Public
53 Health and specified on the Child Care Weather Watch chart. These guidelines shall be
54 used when determining appropriate weather conditions for taking children outside for
55 outdoor learning activities and playtime. This chart may be downloaded free of charge from
56 <http://idph.iowa.gov/Portals/1/Files/HCCI/weatherwatch.pdf>; and is incorporated by
57 reference and includes subsequent editions and amendments;
58 (b) following the air quality standards as set out in 15A NCAC 18A .2832(d). The Air Quality
59 Color Guide can be found on the Division's web site at <https://www.deq.nc.gov/mitigation->

1 services/publicfolder/library/news/brochures/air-quality-color-guide/download; and
2 (c) no active precipitation. Caregivers may choose to go outdoors when there is active
3 precipitation if children have appropriate clothing such as rain boots and rain coats, or if
4 they are under a covered area.

5 (28) "Infant" means any child from birth through 12 months of age.

6 ~~(27)~~(29) "Infant Toddler Environment Rating Scale – Third Edition" (Harms, Clifford, Cryer, and Clifford and
7 Yazejian, 2003, 2017, published by Teachers College Press, New York, NY) is the instrument used
8 to evaluate the quality of care received by a group of children in a child care center using the program
9 assessment licensure pathway, ~~when the majority of children in the group are younger than 30~~
10 ~~months old, to achieve three or more points for the program standards of a rated license.~~ This
11 instrument is incorporated by reference and does not include subsequent editions. A copy of the
12 scale is available for purchase on the Teachers College Press website at
13 https://www.tcpres.com/search?search_term=assessment+materials. The cost of this scale is
14 ~~twenty five~~ twenty-eight dollars and ninety-five cents (\$ ~~25.95~~ 28.95). A copy of this instrument is
15 on file at the Division at the address given in Item (23) of this Rule and is available for public
16 inspection during regular business hours. For the purposes of this Rule, "regular business hours" for
17 the Division means 8 a.m. to 5 p.m. during weekdays, excluding state holidays.

18 ~~(28)~~(30) "ITS-SIDS Training" means the Infant/Toddler Safe Sleep and SIDS Risk Reduction Training
19 developed by the NC Healthy Start Foundation and administered by the North Carolina Child Care
20 Health and Safety Resource Center for the Division of Child Development and Early Education for
21 caregivers of children ages 12 months and younger. Information regarding trainer and training
22 availability can be found on the Division's website at
23 http://ncchildcare.ncdhhs.gov/providers/pv_itssidsproject.asp.

24 ~~(29)~~(31) "Lead Teacher" means an individual who is responsible for planning and implementing the daily
25 program of activities for a group of children in a child care facility. A lead teacher is counted in
26 staff/child ratio, has unsupervised contact with children, and is monetarily compensated by the
27 facility.

28 ~~(30)~~(32) "Licensee" means the person or entity that is granted permission by the State of North Carolina to
29 operate a child care facility. The owner of a facility is the licensee.

30 ~~(31)~~(33) "Lockdown drill" means an emergency safety procedure in which occupants of the facility remain
31 in a locked indoor space and is used when emergency personnel or law enforcement determine a
32 dangerous person is in the vicinity.

33 ~~(32)~~(34) "North Carolina Early Childhood Administration Credential" means the state early childhood
34 administration credential that is based on completion of required early childhood coursework taken
35 at any NC Community College. Other post secondary curriculum coursework shall be approved as
36 equivalent if the Division determines that the content of the other post secondary curriculum
37 coursework offered is substantially equivalent to the NC Early Childhood Administration Credential
38 Coursework. A copy of the North Carolina Early Childhood Administration Credential requirements
39 is on file at the Division at the address given in Item (2) of this Rule and is available for public
40 inspection or copying at no charge during regular business hours. This information can be found on
41 the Division's website at <http://ncchildcare.ncdhhs.gov/providers/credent.asp>.

42 ~~(33)~~(35) "North Carolina Early Educator Certification (certification)" is an acknowledgement of an
43 individual's verified level of educational achievement based on a standardized scale. The North
44 Carolina Institute for Child Development Professionals certifies individuals and assigns a
45 certification level on two scales:

46 (a) the Early Care and Education Professional Scale (ECE Scale) in effect as of July 1, 2010;
47 or

48 (b) the School Age Professional Scale (SA Scale) in effect as of May 19, 2010. Each scale
49 reflects the amount of education earned in the content area pertinent to the ages of children
50 served. The ECE Scale is designed for individuals working with or on behalf of children
51 ages birth to five. The SA Scale is designed for individuals working with or on behalf of
52 children ages 5 to 12 who are served in school age care settings. Information on the
53 voluntary certification process can be found on the North Carolina Institute for Child
54 Development Professionals website at [http://ncicdp.org/certification-licensure/eec-](http://ncicdp.org/certification-licensure/eec-overview/)
55 [overview/](http://ncicdp.org/certification-licensure/eec-overview/).

56 ~~(34)~~(36) "North Carolina Early Childhood Credential" means the state early childhood credential that is based
57 on completion of required early childhood coursework taken at any North Carolina Community
58 College. Other equivalences shall be approved by the Division if the Division determines that the
59 content of other coursework or other pathways are substantially equivalent to the North Carolina

1 Early Childhood Credential coursework. Substantially equivalent coursework shall include, but not
2 be limited to:

- 3 (a) a currently active Child Development Associate Credential from the Council for
4 Professional Recognition, a Certified Child Care Professional Credential from the National
5 Early Childhood Program Accreditation, or a Montessori Credential from any of the
6 Montessori Accreditation Council for Teacher Education, American Montessori Society,
7 National Center for Montessori Education, or Association Montessori Internationale; or
8 (b) a passing score on a test developed by the early childhood faculty of the North Carolina
9 Community College System designed to demonstrate an individual's mastery of the
10 concepts taught in early childhood coursework taken at any North Carolina community
11 college.

12 A copy of the North Carolina Early Childhood Credential requirements is on file at the Division at
13 the address given in Item (23) of this Rule and is available for public inspection or copying at no
14 charge during regular business hours. This information can be found on the Division's website at
15 <http://ncchildcare.ncdhhs.gov/providers/credent.asp>.

16 ~~(35)~~(37) "Operator" means the owner, director, or other person having responsibility for operation of a child
17 care facility subject to licensing.

18 ~~(36)~~(38) "Owner" means any person with a five percent or greater equity interest in a child care facility;
19 however, stockholders of corporations who own child care facilities shall not be subject to
20 mandatory criminal history checks pursuant to G.S. 110-90.2 unless they are a child care provider.

21 ~~(37)~~(39) "Parent" means a child's parent, legal guardian, or full-time custodian.

22 ~~(38)~~(40) "Passageway" means a hall or corridor.

23 ~~(39)~~(41) "Person" means any individual, trust, estate, partnership, corporation, joint stock company,
24 consortium, or any other group, entity, organization, or association.

25 ~~(40)~~(42) "Premises" means the entire child care building and grounds including natural areas, outbuildings,
26 dwellings, vehicles, parking lots, driveways and other structures located on the property.

27 ~~(41)~~(43) "Preschooler" or "preschool-age child" means any child who is at least three years of age and does
28 not fit the definition of school-age child in this Rule.

29 ~~(42)~~(44) "Reside" refers to any person that lives at a child care facility location. Factors for determining
30 residence include:

- 31 (a) use of the child care facility address as a permanent address for personal identification or
32 mail delivery;
33 (b) use of the child care facility to store personal belongings such as furniture, clothing, and
34 toiletry items; and
35 (c) names listed on official documents such as criminal records or property tax records.

36 ~~(43)~~(45) "School-Age Care Environment Rating Scale, Updated Edition" (Harms, Jacobs, and White, 2014,
37 published by Teachers College Press) is the instrument used to evaluate the quality of care received
38 by a group of children in a child care center using the program assessment licensure pathway, ~~when~~
39 ~~the majority of the children in the group are older than five years, to achieve three or more points for~~
40 ~~the program standards of a rated license.~~ This instrument is incorporated by reference and does not
41 include subsequent editions. A copy of the scale is available for purchase on the Teacher College
42 Press website at https://www.tcpres.com/search?search_term=assessment+materials. The cost of
43 this scale is ~~twenty-five~~ twenty-eight dollars and ninety-five cents (~~\$25.95~~ 28.95). A copy of this
44 instrument is on file at the Division at the address given in Item (23) of this Rule and is available for
45 public inspection during regular business hours.

46 ~~(44)~~(46) "School-age child" means any child who is attending or who has attended a public or private grade
47 school or kindergarten and meets age requirements as specified in G.S. 115C-364.

48 ~~(45)~~(47) "Seasonal Program" means a recreational program as set forth in G.S. 110-86(2)(b).

49 ~~(46)~~(48) "Shelter-in-Place drill" means staying in place to take shelter rather than evacuating. It involves
50 selecting a small interior room, with no or few windows, and used when emergency personnel or
51 law enforcement determine there is a threat.

52 ~~(47)~~(49) "Staff" or "staff member" as used in this Chapter includes child care providers, substitute providers,
53 and uncompensated providers. Volunteers, as defined in this Rule, are not staff members.

54 ~~(48)~~(50) "Substitute provider" means any person who temporarily assumes the duties of a staff person for a
55 time period not to exceed two consecutive months and may or may not be monetarily compensated
56 by the facility. Any substitute provider must be at least 18 years of age and literate.

57 ~~(49)~~(51) "Teacher" means an individual who assists the Lead Teacher in planning and implementing the daily
58 program of activities for a group of children in a child care facility. A teacher is counted in staff/child
59 ratio, has unsupervised contact with children, and is monetarily compensated by the facility.

1 ~~(50)~~(52) "Teacher's aide" or "Aide" means a person who assists the lead teacher or the teacher in
2 planning and implementing the daily program. A teacher's aide shall be at least 16 years old
3 and less than 18 years old, shall be literate, and may count in staff/child ratio as long as there
4 is also a credentialed staff person who is at least 21 years of age present in the room and
5 available to respond to the needs of the teacher's aide and children in care.

6 ~~(51)~~(53) "Toddler" means any child ages 13 months to 35 months of age.

7 ~~(52)~~(54) "Track-Out Program" means any child care provided to school-age children when they are
8 out of school on a year-round school calendar.

9 ~~(53)~~(55) "Uncompensated provider" means a person who works in a child care facility and is counted
10 in staff/child ratio or has unsupervised contact with children, but who is not monetarily
11 compensated by the facility. Any uncompensated provider must be at least 18 years of age
12 and literate.

13 ~~(54)~~(56) "Volunteer" means a person who works in a child care facility and is not counted in staff/child
14 ratio, does not have unsupervised contact with children, and is not monetarily compensated by
15 the facility. A person who is at least 13 years of age, but less than 16 years of age, may work
16 on a volunteer basis, as long as he or she is supervised by and works with a staff person who
17 is at least 21 years of age and meets staff qualification requirements.

18
19 *History Note: Authority G.S. 110-85; 110-88; 110-90.2; 143B-168.3; 45 CFR 98.41; S.L. 2021-180; S.L. 2022-*
20 *71; 45 CFR 98.16; S.L. 2024-34;*
21 *Eff. January 1, 1986;*
22 *Amended Eff. April 1, 1992; October 1, 1991; October 1, 1990; November 1, 1989;*
23 *Temporary Amendment Eff. January 1, 1996;*
24 *Amended Eff. March 1, 2015; May 1, 2013; September 1, 2012; July 3, 2012; July 1,*
25 *2012; November 1, 2007; May 2006; May 1, 2004; April 1, 2003; July 1, 2000; April 1, 1999;*
26 *July 1, 1998; April 1, 1997;*
27 *Readopted Eff. October 1, 2017;*
28 *Amended Eff. January 1, 2024; July 1, 2023; February 1, 2022; February 1, 2021; September*
29 *1, 2019*

34 **SECTION .2900 DEVELOPMENTAL DAY SERVICES**

35 **10A NCAC 09 .2902 LICENSE**

36 (a) Developmental Day services shall be available for preschool children for a minimum of 8 hours per day, 5
37 days per week, Monday through Friday, and 12 months per year except in the following circumstances:

38 (1) in counties where no Community-Based Developmental Day Center operates, a
39 Developmental Day program operated by the Local Education Agency may provide services
40 for the 10 month school year (as defined by the State Board of Education); or

41 (2) if a Community-Based Developmental Day center opens in a county where Developmental
42 Day services are only provided by a Developmental Day program operated by the Local
43 Education Agency, the Developmental Day program operated by the Local Education
44 Agency shall continue to provide services for the 10 month school year until the end of the
45 following school year. At the end of the following school year, all Developmental Day
46 services in the county shall be available as described in Paragraph (a) of this Rule.

47 (b) For purposes of this Rule, a "Community-Based Developmental Day Center" means a Developmental Day
48 Center not operated by the Local Education Agency.

49 (c) Developmental Day Centers shall maintain a four or five star rated license as set forth in Section .3200 of
50 this Chapter. ~~with an average score of 5.0 on the appropriate environment rating scale in each classroom~~
51

1 ~~evaluated as defined in 10A NCAC 09 .0102(15), (25) and (40).~~

2 (d) A child care center with a temporary license may receive certification status if all rules in this Section are
3 met, except for Paragraph (c) of this Rule, and an application for a two to five star rated licensed has been
4 submitted in accordance with Section .2800 of this Chapter. At the end of the temporary license period the child
5 care center shall obtain a four or five star rated license as specified in Paragraph (c) of this Rule. Failure to
6 receive and maintain a four or five star rated license shall result in the removal of certification status as a
7 Developmental Day Center.

8 (e) The child care center license shall indicate certification as a Developmental Day Center.

9 (f) The center shall comply with the staff-child ratio and maximum group size as follows:

MAXIMUM AGE	RATIO STAFF/CHILDREN	GROUP SIZE
0-12 Months	1/4	8
1 to 2 Years	1/5	10
2 Years and Older	1/6	18

10 (g) A minimum of two staff members shall be on site at all times while children are in attendance at the facility.

11 (h) A child care center may appeal the removal of certification status in accordance with G.S. 110-94; however,
12 an appeal shall not preclude a Local Education Agency from removing contracted children from the program
13 before a final decision on the appeal is reached.

14 *History Note:* Authority G.S. 110-85(3); 110-88(5); 110-88(10); 110-88(14); S.L. 2024-34; 42 USCS 9858c; 45
15 CFR 98.41; 45 CFR 98.68; S.L. 2024-34;
16 Eff. July 1, 2010;
17 Amended Eff. August 1, 2016;
18 Readopted Eff. October 1, 2017.
19

20 **10A NCAC 09 .2905 is proposed for amendment as follows:**

21
22 **10A NCAC 09 .2905 FAMILY SERVICES**

23 The center shall facilitate family involvement as evidenced by meeting ~~at least four of the following activities. six~~
24 ~~activities. These activities may not be used to meet the requirements set forth in Rule .3219 of this Chapter.~~

- 25 (1) Providing quarterly parent education sessions;
- 26 (2) ~~Holding parent/teacher conferences at least twice a year;~~
- 27 (3)(2) ~~Communicating on an individual basis with parents via daily; and notes, progress reports, or~~
28 ~~surveys;~~
- 29 (4)(3) ~~Having parents as members of a center advisory board. board;~~
- 30 (5) ~~Providing opportunities for parent volunteers to assist with special classroom activities, field~~
31 ~~trips, and other learning experiences for children; or~~
- 32 (6) ~~Providing parents with referral information about other community programs and resources~~
33 ~~servng young children.~~

34
35 *History Note:* Authority G.S. 110-85(3); 110-
36 88(14); 42 USCS 9858; 45 CFR
37 98.1; 45 CFR 98.16; S.L. 2024-
38 34; Eff. July 1, 2010;
39 Readopted Eff. October 1, 2017.
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45

1 **SECTION .3000 NC PRE-KINDERGARTEN**

2
3 **10A NCAC 09 .3002 is proposed for amendment as follows:**

4
5 **10A NCAC 09 .3002 FACILITY REQUIREMENTS**

6 (a) Programs serving NC Pre-K children shall maintain a four-or five-star rated license in accordance with G.S.
7 110- 90(4) and Section ~~2800.3200~~ of this Chapter.

8 (b) NC Pre-K programs that have earned a four-or five-star rated license using the program assessment
9 licensure pathway or the classroom and instructional quality licensure pathway in Rules .3203 and .3205 of this
10 Chapter shall have an assessment completed every three years using the Early Childhood Environment Rating
11 Scale-Third Edition assessment tool. Classrooms that score below 5.0, shall be reassessed the following year
12 and a minimum score of 5.0 must be achieved in order to continue to be approved as a NC Pre-K site. At least
13 one NC Pre-K classroom shall be selected for an assessment during the reassessment process. NC Pre-K
14 programs that have earned a four-or five-star rated license using the accreditation and Head Start licensure
15 pathway in Rule .3207 of this Section are not required to have an assessment and shall instead comply with
16 standards set forth by those organizations regarding program quality standards.

17 ~~All NC Pre K licensed programs shall have an assessment completed every three years using the Early Childhood~~
18 ~~Environment Rating Scale Revised Edition assessment tool as a part of the rated license reassessment process as~~
19 ~~defined in Rule .0102(15), (25) and (40) of this Chapter. Classrooms that score below 5.0, shall be reassessed the~~
20 ~~following year and a minimum score of 5.0 must be achieved in order to continue to be approved as a NC Pre K~~
21 ~~site. At least one NC Pre K classroom shall be selected for an assessment during the reassessment process.~~

22 (c) During the NC Pre-K day, classrooms serving NC Pre-K children shall provide outdoor time, either as part
23 of a small group, whole group, or individual activity, for no less than 45 minutes per day when weather
24 conditions permit as defined in Rule .0102 of this Chapter.

25 *History Note:* Authority G.S. 110-85; 110-88; S.L. 2011-145,
26 s.10.7(a); S.L. 2024-34; Eff. November 1, 2012;
27 Readopted Eff. October 1, 2017.

28
29 **10A NCAC 09 .3009 is proposed for amendment as follows:**

30
31 **10A NCAC 09 .3009 STAFF-TO-CHILD RATIO AND CLASS SIZE**

32 The classroom shall not exceed a maximum staff-to-child ratio of one to ~~nine ten~~ with a maximum class size of ~~18~~
33 20 children, with at least one teacher and one teacher assistant per classroom. A classroom of ~~nine ten~~ children
34 or less shall have at least one teacher.

35
36 *History Note:* Authority G.S. 110-85; 110-88; S.L. 2011-145, s.
37 10.7(a); S.L. 2023-134; Eff. November 1, 2012;
38 Readopted Eff. October 1, 2017.

39
40 **10A NCAC 09 .3010 is proposed for amendment as follows:**

41
42 **10A NCAC 09 .3010 FAMILY ENGAGEMENT**

43 NC Pre-K programs shall develop a plan for family engagement consisting of strategies designed to
44 develop partnerships with families that promote shared decision-making opportunities. These opportunities shall
45 include:

- 46 (1) An enrollment orientation that includes an opportunity for families and child(ren) to visit the
47 assigned classroom and lead teacher prior to the first day of enrollment. ~~Allowing Pre K~~
48 program teachers the opportunity for home visits;

- 1 (2) ~~Formal and informal parent/teacher conferences;~~ Family and teacher conferences are offered at
2 least twice annually to discuss child needs and progress toward individual goals and to receive
3 feedback from families regarding their child(ren)'s experiences at home and at the child care
4 facility. During each conference, families are offered an opportunity to set a goal(s) for their child.
5 Conferences shall be conducted in a manner that is convenient for the family such as by telephone,
6 virtually or in-person.
- 7 (3) Classroom visits and options for parents and families to participate in classroom activities;
8 (4) ~~Parent education;~~ At least one family event annually that includes an educational opportunity for
9 staff and families to learn together.
- 10 (5) Allowing family members the opportunity for involvement in decision making about their
11 own child and about their child's early childhood program; and
12 (6) Opportunities to engage families outside of the regular school day, including at least two family
13 events annually.

14 Items (1) (2) (4) and (6) may be used to meet requirements set forth in Rule .3219 of this Chapter regarding family
15 and community engagement.
16

17 *History Note:* Authority G.S. 110-85; 110-88; S.L. 2011-145, s.
18 10.7(a); 42 USCS 9858c; 45 CFR 98.1; 45 CFR
19 98.16; S.L. 2024-34; Eff. November 1, 2012;
20 Readopted Eff. October 1, 2017.

21