

NC DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION

NORTH CAROLINA CHILD CARE COMMISSION

**First Quarter Meeting
Monday, August 10, 2015**

Nature Research Center
William G. Ross Conference Center, 4th Floor
121 W. Jones Street
Raleigh, NC 27603

Commission Members Present

**Chairperson Glenda Weinert
Kevin Campbell, Vice Chairperson**

**Elliott Blades
Jonathan Brownlee, Sr., MD
April Duvall
Zac Everhart
Melanie Gayle
Elizabeth Gilleland**

**Kay Lowrance
Charles F. McDowell, III
Laurie Morin
Janice Price
William Walton, III
Linda Vandevender**

Commission Members with an Excused Absence

Kristen Weaver

Division of Child Development & Early Education (DCDEE) Staff Present

**Tammy Barnes, Interim Director
Dedra Alston, Administration/Policy
Janice Fain, Administration/Policy
Mary Pat Hicks, NC Pre-K
Jennifer Johnson, Assistant Director**

**Rachel Kaplan, NC Pre-K
Heather Laffler, Administration/Policy
Andrea Lewis, Regulatory Services
Lorie Pugh, Regulatory Services
Cindy Wheeler, NC Pre-K**

Attorney General's Office Staff

**Alexi Gruber, DCDEE Attorney
Jim Wellons, Commission Attorney**

Welcome—Chairperson Glenda Weinert called the meeting to order at 9:05a.m. and reviewed housekeeping items. She expressed a thank you to the Commission and public for their attendance. She read the conflicts of interest statement and asked whether there were any conflicts noted for today.

Chairperson Glenda Weinert called for roll call, which Ms. Dedra Alston performed.

Chairperson Weinert announced that Ms. Sue Creech has resigned from her position on the Commission and publicly recognized that the Commission appreciated her service and will miss her input.

Chairperson Weinert noted that the designated time for public hearing is 1:00 p.m. and public comment is at 2:00 p.m.

Chairperson Weinert reviewed the day's agenda and meeting materials.

Chairperson's Report

Approval of April 20, 2015 Special Rules Commission Meeting Minutes - Chairperson Glenda Weinert asked if Commission members had any changes or amendments to minutes as circulated.

Commission Action: **Ms. Janice Price moved to approve the April 20, 2015 meeting minutes as presented. Ms. Laurie Morin seconded. The motion carried unanimously.**

Approval of May 11, 2015 Commission Meeting Minutes - Chairperson Glenda Weinert asked if Commission members had any changes or amendments to minutes as circulated.

Reverend McDowell noted two corrections in the minutes to his Public Comment comments: 50 years of service **in weekday education** and NC Baptist Children's Home(s) should have an (s) on end.

Commission Action: **Ms. Janice Price moved to approve the May 11, 2015 meeting minutes with corrections. Ms. Melanie Gayle seconded. The motion carried unanimously.**

Chairperson Glenda Weinert reported that Mr. Rob Kindsvatter has resigned his position at DCDEE as Director and that Ms. Tammy Barnes is serving as the Division's Interim Director.

Ms. Melanie Gayle asked about how she and others would be informed about reappointment. Chairperson Weinert said each member's appointing body will contact members directly; and to her knowledge that re-appointment process has not yet been completed.

Division of Child Development and Early Education Director's Update—Tammy Barnes, Interim Director

Ms. Barnes reported on a Department of Health and Human Services (DHHS) leadership change. Dr. Aldona Wos has resigned as the Secretary of NC DHHS and Mr. Rick Brajer has been appointed to be the new Secretary.

Legislative Update

Ms. Barnes provided the following legislative updates.

- **SB114-Custodial Parent Cooperate with Child Support**—signed by Governor; requires the DHHS, DCDEE and the Division of Social Services (DSS) to develop a plan requiring

a custodial parent or other person with primary custody of a child receiving child care subsidy payments to cooperate with county child support services programs as a condition of receiving child care subsidy. DCDEE and DSS will submit a report on the plan, along with any recommendations, to the Joint Legislative Oversight Committee on Health and Human Services and the Fiscal Research Division by than February 1, 2016.

- **SB368—DOD-Certified Child Care & State Subsidy** — not passed; moved to special provisional language in senate budget; allows military child care facilities not to be licensed by DCDEE, and to participate in the subsidy program if they are certified by the Department of Defense and meet national standards.
- **SB453—Regulatory Reform (contested cases & curriculum)** — this bill is not expected to move forward. Another Regulatory Reform bill NOT including curriculum language, but including contested case language is currently expected to move forward. It is possible that curriculum language may be added in a following version.
- **SB578—Transition A/N investigations**—signed by Governor; Ms. Barnes provided more detail on this bill later in presentation.
- **HB474—Healthy Out-of-School Recognition Programs**—not moving forward; would require DCDEE to develop a process to certify after-school programs that meet “Healthy Out of School Time” standards related to promoting healthy eating and physical activity.
- **HB647—Epi Pens in Child-Serving Businesses**—not moving forward; would allow businesses that serve children (including child care) to have and keep an unassigned Epi Pen on site to use in case of anaphylactic allergic reaction.
- **HB832—Revise Certain Policies/Child Care Subsidy**—various versions are included in the Governor’s, House and Senate budgets; end result is yet to be determined.

Ms. Barnes explained that due to the fact that the legislature has yet to reach agreement on a final budget, State government and its agencies are currently operating under a Continuing Resolution (CR). The current Continuing Resolution has been in effect since the beginning of state fiscal year July 1 and expires 8/14/15. An additional CR is expected to be approved later this week.

Ms. Barnes noted these items impacting DCDEE are included in different versions of the budget bills:

- Expansion funding for NC Pre-K—between \$2.3-\$5 million
- \$700,000 for on-going maintenance for the Early Childhood Integrated Data System (ECIDS)
- Changes in subsidized child care program policies – some of the policies enacted last year are proposed to be reversed
- Senate budget would adjust Market Rates for specific counties; adjust the allocation formula and change requirements for NCPC and Smart Start administrative spending

Ms. Barnes explained that the House and Senate budgets both propose evaluating statewide early childhood programs. The House version would include a legislative study of Subsidy, NC Pre-K and Smart Start, while the Senate version would pay for an outside evaluation to consider merging subsidy, NC Pre-K and Smart Start

Ms. Barnes provided details on how SB578 (Transition A/N Investigations) would be implemented. As a result of Senate Bill 578 being passed, a number of changes are in process in DCDEE's Regulatory Services section. The language in the bill changes the former term of 'abuse and neglect' to 'child maltreatment' and transfers the responsibility for investigations of maltreatment in child care programs from DSS to DCDEE. As a part of investigating alleged child maltreatment, DCDEE will work with law enforcement and other agencies as needed, now without the requirement to wait for investigations by the local department of social services to conclude.

Mr. Elliott Blades asked for the legal definition of 'maltreatment.' Interim Director Barnes responded that DCDEE will continue to use the same definition as was used to evaluate 'abuse and serious neglect,' only the terminology has changed.

Ms. Barnes explained that this bill creates a maltreatment registry for child care providers, similar to the 'Responsible Individuals List' which is currently in place for those determined to have abused or neglected a child and have a substantiation of child abuse and serious neglect. It also provides maltreatment investigations confidentiality similar to DSS investigations. It creates a 'duty to report' similar to abuse/neglect and requires that pending investigations be kept confidential from the public until a decision has been reached. Pending information will not go on website or master files. If maltreatment is substantiated, DCDEE can share all findings with public. If there are no substantiated findings, DCDEE will share limited information about the investigation with the public

Dr. Jonathan Brownlee asked about the current joint investigation processes with DSS and whether DSS is being removed from the process. Interim Director Barnes said that yes, DCDEE will now solely be responsible for investigating allegations of child maltreatment in child care facilities. Chairperson Weinert noted that this will expedite the investigation process and potentially resolve some existing issues, such as investigations reported as "open" on website and causing concerns about facilities. Interim Director Barnes stated that now the law gives DCDEE the authority to determine maltreatment and to take action. Ms. April Duvall asked who would be conducting the investigations and Interim Director Barnes stated that investigations will be conducted by the Division's existing (and newly provided, when a budget is approved) investigations consultant.

Ms. Duvall asked whether confidentiality of allegations included the parents of children alleged to be mistreated. Interim Director Barnes stated that parents **will** be notified of allegations and can find out the result of the investigation pertaining to their children if there is a substantiation of child maltreatment. The effects of law are intended to result in less confusion, more timely investigations, the elimination of a duplication of efforts, and a registry of those no longer able to work in child care. Ms. Duvall asked whether the investigators' jobs would change much and Interim Director Barnes stated that they would have a few additional duties that had previously been performed by DSS, but there will not be a great deal of difference in job duties overall. For

further questions or information, Ms. Barnes encouraged Commission members to contact Ms. Andrea Lewis who oversees the DCDEE investigations unit.

Subsidized Child Care Program Update

Ms. Barnes provided an update regarding the Subsidized Child Care Program. As reported at previous Commission meetings, the SEEK system is no longer being utilized. Going forward, the automated time and attendance program will be called TAPS (Time, Attendance, and Payment System) and will be a part of the NC FAST case management system. As part of the SEEK program ending, POS machines from facilities must be returned to Xerox. If those machines are not returned, facilities will be subject to a \$330 fee.

Adding the subsidized child care program to NC FAST is projected to be an 18 month project from initiation through rollout, with work beginning in July 2015. TAPS will be an automated time and attendance system that will be developed to allow providers to enter attendance into an NC FAST web portal. There will also be a parent role in validation of time and attendance. As part of the TAPS construction there will be provider and participant focus groups and also distribution and analysis of a parent survey.

Child Care and Development Fund (CCDF) Focus Groups

Ms. Barnes stated that DCDEE is in process of creating its triennial CCDF block grant plan which is required to be submitted to the federal government by March 2016 describing how block grant funds will be expended. As a part of this plan submission, eight (8) focus groups to gather input from stakeholders are being held statewide. During these focus groups discussion will occur related to child care subsidy, quality and professional development and consumer education.

Ms. Janice Price commented that the focus group held the previous week in Mecklenburg County was wonderful; Ms. Tasha Owens-Green from DCDEE was a wonderful facilitator and a lot of great information was shared. Ms. Price appreciates the efforts of DCDEE in this task.

Emergency Preparedness and Response (EPR) Rules

Ms. Barnes noted that the EPR rules approved through the Commission became effective July 1st and will require preparedness training and an emergency plan online for all facilities. It is expected that by August 31 the online EPR template which must be submitted following completion of the training will be available.

NC Pre-K 2015-16 School Year Preparations

Ms. Barnes reported that all NC Pre-K contracts have been executed for the SFY 15-16 year. Depending on which State budget version is approved, between \$2.3 and \$5 million in expansion is expected to be added to this program.

Additionally, she explained that on August 3& 4, DCDEE conducted training for NC Pre-K contractors to prepare for SFY 15-16. Ms. Barnes shared a slide summarizing the distribution of NC Pre-K classrooms in SFY 14-15: 51% of NC Pre-K classrooms are in Public Sites (including Head Start) and 49% in Private Sites.

Market Rate Survey Completion and Posting

Ms. Barnes stated that the federally required Child Care Market Rate Survey (MRS) has been completed for NC and the survey report was finalized in July; the report has been posted on the DCDEE website. The MRS collects information on rates in child care and data on economic conditions and how those affect child care. For the 2015 report the following data was collected:

- 87% response rate overall from providers
- 39% of children were reported receiving child care subsidy
- Over 31% of providers reported increasing their food budgets
- Providers also reported increased salary and equipment expenditures

Update on Tiered Quality Rating and Improvement System (TQRIS) Quality Measure/Validation Study—Ms. Jennifer Johnson, Assistant Director for Programs and Education Services

Ms. Johnson returned to provide a follow-up report from her presentation about the TQRIS Quality Measure/Validation Study at a previous Commission meeting. In order to evaluate the proposed TQRIS quality measure, the study has currently recruited a sample of 177 child care centers and 64 family child care homes to participate in the validation study as of 8/7/15.

The validation measure will be called EQUIPS: Early Childhood Quality Improvement Pathway System. Ms. Johnson reiterated that this is a research study—it is not a certainty that there will be any changes to NC's current system now or in the immediate future. Kentucky, Delaware and NC are participating in the pilot study. Key practices evaluated include administrative as well as classroom practices. Evaluations include interviews with directors and teachers, observations of teachers and children and classrooms, and evaluation of the organizational climate and program operations. .

Key practice areas of the measure include:

- Family and Community Partnerships
- Support for Children's Learning and Development
- Planning and Assessment
- Daily Interactions and Routines
- Learning Opportunities
- Materials and Space
- Organizational Climate and Program Operations

Observations will be scored on a 0-5 point scale. For example—Affective interactions---was this indicator present? (1-5) e.g., is a teacher in close proximity to the children they are interacting with?

Ms. Johnson explained that the final reports from this research study are expected in late 2016. The Commission will receive the report and decide whether to accept findings and move forward with changes to relevant rules. Any rule changes that may be proposed could become effective possibly in 2018, at the earliest, with possible full implementation by approximately 2020.

- **Questions:**

- Mr. Blades asked for clarification of examples of Staff Communication on either an emerging/expected/exceptional level or how on a scale of 1-5 Staff Communication would be rated? Mrs. Johnson responded that that evaluators are being trained on the metrics of all these evaluations.
- Ms. Price asked if the assessments of classrooms were time-limited or ongoing? Ms. Johnson responded that they are ongoing; more of a portrait than a snapshot.
- Mr. Blades asked how the measures of best practice connect back to outcomes? Mrs. Johnson stated that research informs how these best practices relate to child outcomes.
- Vice Chairperson Kevin Campbell expressed concern with a model that seems to reflect scoring only as good as one's weakest link (i.e. the assessment of the lowest ranking classroom would possibly reduce the whole facility's score). Mrs. Johnson stated that unlike the current ERS (Environment Rating Scale) system, in the new EQuIPS tool all classrooms are evaluated. Therefore, even if there is a single or a few weak classrooms, if there are a larger number of stronger classrooms, the evaluation will be strong. Vice Chairperson Campbell expressed concern that by the same token, one child's behaviors could skew evaluations. Mrs. Johnson stated that the training of evaluators in child development and metrics should take care of this.
- Ms. Morin asked whether there will be a different version of the measure for child care homes/centers, and Ms. Johnson confirmed this was the case.
- Ms. Morin asked whether there was any cost to families or facilities participating in the study? Ms. Johnson stated that there was no cost, and that facilities may receive gift cards for participation.
- Ms. Linda Vandevender asked how the new tool relates to the current ERS? Ms. Johnson stated that right now the EQuIPS tool does not relate to the ERS, but they both would be one of multiple options available to assess child care quality.
- Vice Chairperson Campbell asked about the proposed QRIS chart that has been shared previously with the Commission, and how it aligns with the measure discussed today. Ms. Johnson stated that the current measure only looks at the program part of the QRIS chart to which he is referring; it does not look at the education part. Vice Chairperson Campbell stated that he still has concerns about the block/point QRIS chart that came from the QRIS Advisory Committee; he would like for the chart to be included on the Commission's next meeting agenda.
- Mr. Zac Everhart asked whether recruitment for the study was highly concentrated in certain areas? Ms. Johnson stated that the sample is intended to include sites

across the state; however, facilities may be more concentrated in the center of the state to facilitate travel for evaluators coming from Greensboro/Guilford County.

- Ms. Morin asked to clarify that participation is voluntary? Ms. Johnson affirmed that participation was voluntary and an opportunity for providers to offer feedback of what they would like for their program(s) to be evaluated on.
- Ms. Vandevender expressed concern that the difficulty for facilities to increase their star-rating is often a product of financial differences across the state; Ms. Johnson expressed that Market Rate reimbursement vs cost of quality is one of the issues being looked at.

Meeting break at 10:35 a.m., reconvened at 10:45 a.m.
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Future Schedule for Meetings

The Commission resumed its agenda with establishing future meeting dates for special rules review meetings. Chairperson Weinert expressed her opinion that the Commission should continue to schedule meetings monthly to stay on track and maintain momentum with the review of rules. In order to achieve this based on the existing meeting schedule, rules meetings would need to be scheduled for September and October.

Division management requested that not all meetings be held on Monday due to the fact that as a result of the Science Museum location being used for events on weekends, to facilitate Monday morning meetings staff has to come in on Sunday afternoons to set up the meeting room tables, chairs and IT equipment. Chairperson Weinert and members chose in lieu of changing the day of the week from Mondays that the start time of the meeting be delayed to 10:00 a.m. to allow for set-up the morning of the meetings. There was agreement that this scenario would be tried.

Future meeting dates:

- Monday, August 17 for conference call vote at 2:00 p.m. to vote to adopt the Developmental Day Rules. The rules will then be reviewed by the Rules Review Commission (RRC) for approval or comment/revision.
- Monday, September 28, 10:00am-4:00 p.m. (Special Rules Meeting)
- Monday, October 19 at 10:00 a.m.-4:00 p.m. (Special Rules Meeting)

Plan for Moving Forward with Curriculum Review/Approval

There was discussion related to proposed legislation to revise the Commission's curriculum review and approval process. Mr. Jim Wellons recommended that the Commission defer any decision related to curriculum review and approval in order to give General Assembly the opportunity to adopt any proposed language as was included in a previous version of a Regulatory Reform bill. The most recent version of this legislation did not include action related to the Commission, but it may be included in future versions.

Chairperson Weinert asked what should be done about the two curricula that are awaiting additional review and were not included in those previously approved. Interim Director Barnes stated that the Division has received materials from the two publishers and those materials are available for the Commission subcommittee (Chairperson Weinert, Ms. Elizabeth Gilleland, and Ms. Kay Lowrance) to review. The two curricula awaiting review are Learning Experience and Kiddie Academy. Chairperson Weinert asked that Ms. Laura Hewitt contact her and she would coordinate with Ms. Gilleland and Ms. Lowrance to schedule a meeting to review these two curricula.

Ms. Price asked for the latest language that was sent to the General Assembly regarding curriculum review. Mr. Wellons said he would find that language and disseminate to Commission. [Information was later provided on this language.]

Rules Review Grouping - Rules .1401, .1402, .0304, .0204, .0205, and .2318

Mr. Wellons discussed rule language in the sections provided on the Commission handout titled “Rule Groupings for Re-adoption of Rules Group 1”. Chairperson Weinert asked the Commission to review and provide their comment.

- .1401 Indoor Space
 - Ms. Gilleland commented on Paragraph (f) line 5-“for special activities so long as such occupancy does not violate the State fire code”; taking out the language “such as to view films or slides; for special presentations, such as puppet shows or magic shows or a special story teller; or presentations by a policeman, a fireman, or a nurse, etc.”
 - Vice Chairperson Campbell proposed moving Paragraph (e) to Paragraph (b), but the consensus was that this was not necessary.
 - Vice Chairperson Campbell commented on Paragraph (g)—why does this only apply to rooms special for sleeping and not all rooms? Ms. Vandevender expressed that she believed this was an attempt to prohibit child care facilities from being able to put a child in an area that doesn’t have appropriate ceiling height or space. Mr. Billy Walton suggested eliminating Paragraph (g) altogether because it is unnecessary to specify single use space. Ms. Gruber was asked to refer to how the requirement is written in law to determine if it is redundant to specify single use spaces.
 - Mr. Wellons noted the issue of licensed space vs. primary space; if language specifies dedicated sleeping space in primary space, would the sleeping space then be used to calculate capacity? Ms. Gruber questioned the term “single use.”
 - It was noted that primary space is what is used to calculate license capacity; single-use space is not included in capacity calculations (Paragraph (e)—spaces not counted in primary space—single use rooms).

Commission Action: **Mr. Billy Walton presented a motion to remove Paragraph (g) because if an area meets the requirement of providing no less than 25 square feet per child, that paragraph is unnecessary.**

Ms. Lowrance asked whether the “no less than 25 square feet” requirement in the law allows for the Commission to have the option of increasing the square footage requirement? Mr. Wellons expressed that he does not believe that the Commission has been granted the authority to determine square footage or increase it beyond 25 square feet/child; the wording just establishes that the minimum square footage must be no less than 25 square feet.

Chairperson Weinert stopped the discussion to defer any further action on Rules Review until after the public comment period.

Lunch break at 12:00 p.m., meeting reconvened at 1:00 p.m.

**Public Hearing -
Rulemaking Petition - Developmental Day (DD) Rules 10A NCAC .2902 & .2903**

- Ms. Kristi Swanson—Haywood County Schools—Ms. Swanson spoke against approving the Developmental Day Rule change as published. If the Commission does continue with the rule change, she requested that the Commission consider grandfathering in existing developmental day programs operated by Local Education Agencies (LEAs) that are currently operating on the 10-month schedule. She stated that if this rule change is approved, the LEAs would still be required to serve children without access to Developmental Day funds.
- Mr. Walton asked what these children currently do without services during the two months of summer? Ms. Swanson replied that in her experience, many of the parents do not want their children enrolled in formal care during the summer.
- Vice Chairperson Campbell asked how long the Haywood County program has been operating? Ms. Swanson replied that it has been in operation since around the time the Developmental Day program moved to DCDEE.

(Mr. Wellons returned briefly to the earlier discussion about Curriculum language and provided the Commission with the latest language sent to General Assembly.)

Because there were no further commenters who requested to speak during the Public Hearing, the Hearing period was kept open, and the Commission returned to its agenda.

Return to Rules Review Grouping - Rules .1401, .1402, .0304, .0204, .0205, and .2318

- Rule .1401
 - Paragraph (g) line 5—Vice Chairperson Campbell proposed including language to clearly state that any area used by children shall have no less than 25 square feet of space.

Commission Action: Vice Chairperson Campbell motioned new proposed language for Paragraph (g) “During rest periods, any room used by children shall have no less than 200 cubic

feet of air space per child.” Ms. Gilleland seconded the motion. Motion carried unanimously.

Commission Action: Vice Chairperson Campbell motioned that Paragraph (e), lines 30-31 be struck from the Rule. Mr. Walton seconded the motion. Motion carried unanimously.

- Rule .2318

Mr. Wellons revised the record retention requirements in this rule into a chart format listing all materials to be maintained and the length of time for which they are to be maintained. Chairperson Weinert asked that the Commission and DCDEE review the chart and come to the next meeting ready to discuss the requirements.

Public Comment

- Rev. Charles McDowell—Read a letter from Michael C. Blackwell, NC Baptist Children’s Homes, in response to the Commission’s recognition and congratulations on their 50th anniversary of years of service in weekday education. The NC BCH appreciates the Commission’s attention and also invites the Commission to use their meeting facilities in Thomasville if ever needed.
- Ms. Sarah Norris—Vice President—NCECA—Ms. Norris approached the Commission to express her organization’s concerns over provisions in the State budget (and also a separate bill) providing child care subsidy and an automatic star license for Department of Defense certified facilities without NC monitoring and licensure. Interim Director Barnes clarified that currently military facilities are not required to be licensed and because they are under federal authority. These facilities may choose to be licensed; the issue is whether these facilities can also access child care subsidy funds.

Dr. Brownlee inquired who investigates child abuse claims in these centers and Interim Director Barnes stated that military staff and Military Police would investigate child abuse/neglect concerns on military bases if the child care facility is not licensed by DCDEE.

- Ms. Jennifer Kozaczek—Project Coordinator, NC CCHSRC (Child Care Health Safety Resource Center)—Ms. Kozaczek spoke to request that the Commission add the medication administration permission slip to the list of forms to be retained for 6 months after medication is administered. She also asked that the shelter lockdown drill logs be added to the record retention chart to be retained quarterly.

Mr. Wellons stated that someone needs to be assigned the task of checking record retention requirements in rule that do not appear in Rule .2318 and should be included in that record retention chart. DCDEE staff will complete this review for the next meeting.

- Ms. Kathy Duncan (via letter read by Chairperson Weinert) —Ms. Duncan has a concern regarding the rule prohibiting flavored milk. She states that the children in her care will not drink unflavored milk and as a result she discards massive amounts of milk. Ms. Duncan asked that the Commission please reconsider the rule prohibiting flavored milk.
- Ms. Linda Hyman—Orange County Partnership for Young Children and NC Pre-K Administrator—Ms. Hyman expressed concern that currently parents are allowed to opt out of other USDA requirements and provide ‘junk food’ for their own child’s lunch and snack(s). She feels that this is inconsistent implementation of nutrition rules.

It was noted that Ms. Duncan had commented on the nutrition rule when the Commission completed their categorization of all rules. Chairperson Weinert requested that DCDEE staff send a letter to Ms. Duncan to explain the status of the rule re-adoption process.

Return to Rules Review Grouping - Rules .1401, .1402, .0304, .0204, .0205, and .2318

Ms. Gruber discussed Rule .0304 including a discussion of the point value process used to determine a facility’s compliance score.

Ms. Gruber also provided information on Rule .0205 including added Paragraph (b) which states that “no person shall be allowed on the premises of a child care center who has been convicted of a ‘reportable conviction’ as defined in G.S. 14-208.6(4)—child sex offender registry” and Paragraph (c) “parents subject to court orders related to custody of a child enrolled in a child care center shall only be allowed access to the center in accordance with the court order.” Paragraph (a) deleted the words “guardian or custodian” because “parent” is defined broadly to include these other categories in Rule .0102.

Rules Update- Ms. Dedra Alston **Periodic Review Status Report**

Ms. Alston reported that it is now time for the Commission to submit to the Rules Review Commission (RRC) how long the Commission estimates that it will take to complete the review and re-adoption of rules process. Mr. Wellons advised that the Commission should ask for the maximum amount of time they allowed, and suggested four years.

EPR Rules

Ms. Alston shared with the Commission that Rule .0607(f) was required to be amended effective August 1 because the word “or” was originally left out; all other EPR rules are effective July 1. Ms. Mary Clearly, training specialist at NC Child Care Health Safety Resource Center, also shared that Resource Center staff are currently in process of providing training in train the trainer courses. The EPR course is provided online, free of charge and takes about a month to complete. When a trainer has been trained they are expected to train others on the course content at least three times over the calendar year for two years, with 10-12 people in each class. Additionally, they would

provide in person 2 two-hour sessions with follow-up for students to complete and submit their Emergency Preparedness online plan.

See and Hear (Rule .1718 and Fiscal Note)

This rule change will allow school-age children to participate in age-appropriate activities in a room separate from younger children in care in a family child care home setting. The change will also align this Rule with the center supervision rules; more specifically, defining supervision and allowing children to be seen “or” heard. The rule will be published in the September 15th NC Register and the public hearing will be held on November 9th. OSBM has determined that this rule does not need a fiscal note. The proposed effective date of this Rule is April 1, 2016.

General Announcements and Closing Business

Mr. Wellons announced that as of October 1, 2015, he will be retiring from his position with the Department of Justice, and as such will no longer be assisting the Commission.

Vice Chairperson Campbell asked whether other Commission members shared his concern that the re-adoption of rules process will take years to complete and there may be rule issues that need to be addressed more expediently. Ms. Gilleland agreed but asked that any special consideration of current rules be proposed a month prior to meeting, so Commission members could research issues for discussion. Agreement was reached that an agenda item will be added allowing members to discuss rules of concern at each regular meeting. Members are to submit their rule concerns to Chairperson Weinert in advance of preparing the meeting agenda.

Chairperson Weinert adjourned the meeting at 3:00 p.m.

Next meetings -

Special Rules Meeting:	September 28, 2015	10:00 a.m. - 4:00 p.m.
	October 19, 2015	10:00 a.m. - 4:00 p.m.
Second Quarter Meeting:	November 9, 2015	9:00 a.m. - 4:00 p.m.