

Summary of Rule Changes Effective July 1 and August 1, 2010

Child Care Centers

Over the last year the North Carolina Child Care Commission has been working on rulemaking in the areas of children's health and nutrition, enriching outdoor activities and quality school-age care, based on research reviewed on outdoor learning environments, quality activities for school-age care, and preventing obesity in young children. The majority of these rules became effective July 1, 2010, with the exception of a few that carried over to August 1, 2010. The following is a summary of the rule changes; please refer to the rulebook for complete rule text. It is available online at www.ncchildcare.net.

- Changes to definitions include:
 - Defining track-out programs, health care professionals, first aid kits, and if weather conditions permit. (Rule .0102)
 - In addition, changes were made to the definition of Basic School-Age Care (BSAC) training to allow for equivalent training if approved by the Division. (Rule .0102)
- A new rule was adopted to address staff/child interactions. Staff will be required to relate to children in positive ways by helping children feel welcome and comfortable, treating them with respect, listening to what they say, responding to children with acceptance and appreciation and participating in many activities with the children. (Rules .0501) *Examples are provided in the rule text.*
- Several changes were adopted in the areas of activities, activity schedules and plans.
 - A minimum amount of outdoor time throughout the day is specified, if weather conditions permit. A program must provide a minimum total of one hour of outdoor time daily, or when children are in care for four hours or less per day the center must provide a minimum of 30 minutes of outdoor time. For infants and toddlers, there must be a minimum of 30 minutes of outdoor time throughout the day. (Rules .0508 and .0510)
 - The activity plan must reflect that children have at least four different activities daily, at least one of which is outdoors, if weather conditions permit. (Rule .0508)
 - The activity plan must also include a daily gross motor activity which may occur indoors or outdoors. (Rules .0508 and .0510)
 - When screen time is provided it must be offered only as a free-choice activity, used to meet a developmental goal, and limited to no more than a total of 2 ½ hours per week per child. Screen time includes, but is not limited to, television, videos, video games, and computer usage. Screen time usage periods may be extended for special events, projects, or occasions such as holiday or birthday celebrations. Screen time would be prohibited for children less than two years of age. (Rules .0510, .0511 and .2508)
 - Materials and opportunities for music and rhythm, science and nature, and sand and water must be offered to each group of children on a weekly basis (instead of monthly). (Rule .0510)
- A first aid kit must always be on site. (Rule .0604)
- For program records, emergency medical care information must be updated as changes occur and at least annually. *This applies for center staff, volunteers, substitutes, and children enrolled in the program.* In addition to maintaining daily attendance records, centers will be required to maintain daily records of arrival and departure times for each child. (Rules .0302, .0701, .0702, and .0802)
- In the nutrition section, accommodations for breastfeeding mothers shall be provided that include seating and an electrical outlet in a place other than a bathroom that is shielded from view by staff and the public which may be used by mothers while they are breastfeeding or expressing milk. (Rule .0901)

- Rule changes were made to the administrative penalties following the substantiation of any abuse or neglect complaint or the issuance of any administrative action against a child care facility. The rule now states parents must be notified within 30 days and the operator must document the date the written notice was given to all parents and have parents sign an acknowledgement that they have received the notice. (Rule .2201)
- Changes related to care for school-age children include:
 - Opportunities must be provided for school-age children to participate in the planning and implementation of activities. (Rule .2508)
 - Activity areas were re-organized into broader categories to reflect activity practices that school-age children are currently participating in. (Rule .2508)
 - Career development activities;
 - Community awareness activities;
 - Creative arts activities;
 - Cultural activities;
 - Games or manipulatives;
 - Hands-on academic enrichment activities including but not limited to language, math, science, social studies, or foreign language activities;
 - Homework with assistance available as needed from center personnel;
 - Reading activities;
 - Sand or water play;
 - Social skills, life skills or problem-solving activities;
 - Structured or unstructured physical activities; or
 - Technology skill-building activities.
- Voluntary Rated Licenses rules related to a three-component star rated license were repealed and will be removed from the rules since they are no longer valid. (Section .2800)

Developmental Day Services – Section .2900

During the 2009 Legislative Session, the NC General Assembly passed House Bill 1046, which transferred the rule-making authority from the Commission for Mental Health, Developmental Disabilities, and Substance Abuse Services to the NC Child Care Commission to adopt rules for certified Developmental Day Centers. Over the next year, the Division will be working with certified Developmental Day Centers to help these programs transition to fully meet these requirements. **The rules in this Section apply to all certified Developmental Day Centers, or to all child care centers requesting to be certified as a Developmental Day Center.** A center license will indicate certification as a Developmental Day Center.

- A Developmental Day Center offers specialized developmental day services to children who:
 - Are diagnosed with developmental delays or developmental disabilities, or
 - Have been identified with a diagnosed physical or mental condition which has a high probability of resulting in a developmental delay.
- A diagnosis or identification must be completed by a licensed professional through a comprehensive clinical assessment.
- Developmental day centers must maintain a four or five star rated license with an average score of 5.0 on the appropriate environment rating scale assessment.
- The center must comply with specific staff-child ratios, staff qualifications, and program requirements.