

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

**NORTH CAROLINA CHILD CARE COMMISSION**

**Third Quarter Meeting**

**Monday, February 12, 2018**

Dix Grill  
1101 Cafeteria Drive  
Employee Center  
Raleigh, NC 27603

Commission Members Present

**Glenda Weinert, Chairperson**  
**Melissa Burroughs**  
**Susan Butler-Staub**  
**J. Lanier DeGrella**  
**Sharon Foster**  
**Melanie Gayle**  
**Elizabeth Gilleland**

**Zac Everhart, Vice Chairperson**  
**Kimberly J. McClure**  
**Charles F. McDowell, III**  
**Rhonda Rivers**  
**Amelie Schoel**  
**William Walton, III**  
**Mitchell Gold**

Commission Members with an Excused Absence

**Brooke King**  
**Nina Whitley-Artis**

**Donette Thomas**

Division of Child Development & Early Education Staff Present

**Anna Carter, Director**  
**Kristi Suggs, Deputy Director**  
**Dedra Alston, Administration/Policy**  
**Tammy Barnes, Administration/Policy**  
**Lorie Pugh, Regulatory Services**  
**Theresa Roedersheimer, Administration/Policy**

**Heather Laffler, Administration/Policy**  
**Laura Hewitt, Administration/Policy**  
**Andrea Lewis, Regulatory Services**  
**Rachel Kaplan, Administration/Policy**  
**Branda Watford, Administration/Policy**

Attorney General's Office Staff

**John Green, Commission Attorney**

**Mercedes Restucha-Klem, DCDEE  
Attorney**

**Welcome**

Chairperson Glenda Weinert called the meeting to order at 9:00 a.m. and reviewed housekeeping items. Chairperson Weinert introduced John Green, the new Commission attorney, to the group.

**Roll Call**

Chairperson Weinert reviewed the agenda and discussed the materials provided to members. Chairperson Weinert read the conflicts of interest statement and asked whether there were any conflicts noted for today? No conflicts were noted. Ms. Alston conducted roll call.

Chairperson Weinert read into the record the Evaluation of Statement of Economic Interest from the State Board of Elections & Ethics Enforcement for Ms. Kimberly McClure about a potential conflict of interest. Ms. McClure fills the role of a non-profit child care provider on the Commission. Ms. McClure and her daughter are employed by the YMCA. While this is a *potential* conflict of interest, it does not prohibit service on Commission.

### **Approval of December 11, 2017 Second Quarter Meeting Minutes**

**Commission Action:** Chairperson Weinert asked for approval of the December 11, 2017 Second Quarter Meeting Minutes. Ms. Amelie Schoel motioned for approval and Ms. Melanie Gayle seconded. The motion carried unanimously.

**The Commission Scheduled Meeting Dates for the remainder of the year as follows:**

#### **2018**

April 9, 2018 - Fourth Quarter Meeting 9:00 a.m.-3:00 p.m.  
 September 17, 2018 - First Quarter Meeting 9:00 a.m.-3:00 p.m.  
 November 5, 2018 - Second Quarter Meeting 9:00 a.m.-3:00 p.m.

#### **2019**

February 11, 2019 - Third Quarter Meeting 9:00 a.m.-3:00 p.m.

Chairperson Weinert asked new commissioners to introduce themselves again, so all members of the Commission and audience could help put faces with names.

### **Director's Report—Anna Carter**

#### **DCDEE Staff Changes**

- Deputy Director – Dr. Kristi Snuggs
- Retirement of Janice Fain, Assistant Director for Administration and Cindy Wheeler, NC Pre-K Program Manager
- Posting positions in Child Care Subsidy section and for Education Branch Manager

#### **DHHS and other Division Collaborative Activities**

DHHS Priorities include action plans for addressing:

- Opioid Epidemic
- Early Childhood Education
- Medicaid Managed Care

Within these efforts, the Department and DCDEE are and have been involved in:

- Birth-3<sup>rd</sup> Grade Interagency Council
- Early Childhood Advisory Council
- Child Well-Being Transformation Council (related to DSS and Child Protective Services)
- Institute for Emerging Issues *Kidonomics* Conference  
 Ms. Burroughs commented that it was geared towards informing policy makers and business leaders about early childhood.

- Every Student Succeeds Act (ESSA) also includes requirements related to Pre-K to Kindergarten transition

Ms. Schoel mentioned community outreach activities in Union county at the high schools related to opioid abuse. She asked Director Carter if parent education is part of the Department's action plan. Director Carter stated that the current focus is on more clinical aspects such as prescription practices and direct over/misuse. Dr. Sharon Foster pointed out that the age group with the greatest likelihood of opioid-related deaths is 30-40 year-olds.

Related to the ESSA Plans and meetings regarding that, Director Carter asked Karen McKnight, Director, NC Head Start Collaboration Office, for her observations. Ms. McKnight stated that 82 local teams attended these meetings and were excited to collaborate. Each team left with a page of commitments. Ms. Schoel asked for a list of the counties that attended. Ms. McKnight provided the link that provides the information from the meeting <http://buildthefoundation.org/ESSA>

#### Legislative Report Update

State Budget called for five legislative reports from DCDEE – Division, with DPI, submitted NC Pre-K to Kindergarten Transition report and State Early Childhood Vision reports in January 2018. Division staff is continuing to work with local Pre-K programs and schools on implementing a standardized transition process from Pre-K to Kindergarten.

Dr. Foster mentioned the Kindergarten Health Assessment form that must be filled out by pediatricians is a comprehensive resource of health information provided to Kindergarten teachers. Ms. Schoel also discussed a model that is implemented in her county of early assessment prior to school entry to help administrators and teachers make decisions about classroom populations. She asked whether this model exists in other counties, and the answer is yes. Ms. Rivers asked what the transition tool will look like that will emerge from the pilot study? Director Carter responded that what is expected to emerge is a tool of observation and evaluation elements that are can be most useful in knowing where children are in their development for Pre-K teachers to provide to Kindergarten teachers. Ms. Rivers expressed that there are informal processes in place in which Pre-K teachers communicate with Kindergarten teachers, but she raised the issue about potential violations of privacy. There is a potential tension for parents between wanting to inform teachers versus wanting children to have a “fresh start”. Director Carter discussed that this is one of the reasons why the parent is expected the person who transfers the information from the Pre-K to the Kindergarten program. Ms. Burroughs asked for clarification that Craven, Davidson and Iredell were the three pilot counties for the Transition Study, which is the case.

Additional reports are due April 2018 on final Subsidy Allocations and Administrative Services funding and annual evaluation of NC Pre-K program and its impacts on children. The Division is also beginning work and has created a project plan in response to the legislative requirement to require and assist parents applying for Child Care Subsidy in cooperating with Child Support Enforcement.

#### Market Rate Survey

The Child Care Market Rate Survey is continuing, and the Division is asking all providers to PLEASE submit their responses, if they have not already done so. Providers are encouraged to

complete the survey online, but can request to complete the information via telephone or on paper with assistance. To complete the survey via telephone, or for assistance with the online survey, providers are asked to contact NCSU Center for Urban Affairs and Community Services at 919-515-3211 or by email [ryan\\_hancock@ncsu.edu](mailto:ryan_hancock@ncsu.edu) or [rodney\\_oneal@ncsu.edu](mailto:rodney_oneal@ncsu.edu) for additional information.

Ms. Heather Laffler stated that there was a focused effort in January to encourage providers to respond, which had resulted in an increased response rate. The goal of the survey is at least 75% response in every county for centers and for homes. NC State University will send a list of the counties that have not reached this goal and Division consultants will also contact providers in their respective regions. Chairperson Weinert agreed that there will never be a correction in the market without adequately collected information about the true cost of care. Ms. Schoel asked whether providers have been informed about the important connection between providing this information and a correction in rates based on the information they provide on the true costs? Ms. Laffler assured her that this information is relayed to the providers.

#### CCDF State Plan

The Division is currently beginning work to plan for and create its 2019-21 Child Care Development Fund (CCDF) State Block Grant Plan. The plan will be due to the Administration for Children and Families by end of June 2018. DCDEE is planning to once again hold focus groups in March for comments and input into the plan in: Raleigh (3/12); Greenville (3/21); Asheville (3/27); and Charlotte (3/29). Ms. Schoel asked if it is possible to attend one of these focus groups as an observer? Director Carter stated the groups are open to all to observe or contribute.

#### Criminal Background Check Portal

DCDEE has created and released to the public an online portal for providers to request review of and submit information for their Criminal Background Check. Reviews from public users have been very positive and hard copy (paper) submission of criminal background information ended January 31, 2018.

Mr. William Walton stated that there is a problem of losing good applicants because of the slow process of out-of-state criminal background checks. He asked if there is a way to employ the person while waiting for this information? Director Carter stated that the Division is studying this issue and soliciting guidance at the federal level.

#### NC Pre-K Expansion 2018-19

NC Pre-K providers were polled about their need and availability for additional slots and those allocations have been made at the beginning of this month (February). Contractors will continue to enroll children through expanded service allocation, and DCDEE will continue to evaluate need and capacity statewide.

#### NC FAST

All counties are now active enrolling children and making payments for Child Care Subsidy Services through NC FAST. The Division and Department continue to have and implement change

requests and defect corrections continue each month. The biggest challenge remaining at this point is under/overpayment resolution

Ms. Schoel asked for an estimate of how much overpayment and underpayment is occurring? Director Carter stated an estimated \$3 million in over payments and \$600,000 in underpayments.

#### 2018 General Assembly Short Session

The next session of the General Assembly, a ‘short’ session, begins May 16, 2018. The Department is considering priorities to submit related to changes needed fiscally or from a policy perspective.

Ms. Schoel asked about rumors of a new department that would oversee all of early childhood? Director Carter stated that this is not likely, but the goal is to increase collaboration *across* agencies. Ms. Schoel asked if Director Carter is seeing evidence of that collaboration between agencies? Director Carter stated that she is observing collaboration through her work with the B-3 Interagency Council and the Pre-K to Kindergarten Transition pilot study.

#### Commission Discussion of Upcoming Agenda Topics and Presentations

Members of the Child Care Commission were asked to provide a list of topics that they would like to discuss or learn more about, from subject matter experts, at upcoming Child Care Commission meetings. Dr. Lanier DeGrella stated she would like to receive an update on the Child Care Services Association report “Who’s Caring for our Babies? Early Care and Education.”

[http://www.childcareservices.org/wp-content/uploads/2017/07/IT-State-Report-final-7-27-](http://www.childcareservices.org/wp-content/uploads/2017/07/IT-State-Report-final-7-27-2017.pdf)

[2017.pdf](http://www.childcareservices.org/wp-content/uploads/2017/07/IT-State-Report-final-7-27-2017.pdf) Ms. Rivers asked to learn more about the characteristics of the child care workforce in terms of education, qualifications and what is needed to maintain a qualified workforce. Mr. Walton suggested a presentation on the empirical research concerning the qualities that define a “qualified” teacher and suggested that Dr. Dick Clifford provide this presentation.

Dr. Foster requested a discussion of ACEs—Adverse Childhood Experiences Study

Link to ACEs Study: [http://www.ajpmonline.org/article/S0749-3797\(98\)00017-8/abstract](http://www.ajpmonline.org/article/S0749-3797(98)00017-8/abstract)

Director Carter stated that in addition to the effects of ACE on children, she would also be helpful to Commission members to hear about research that has been done on the affects of ACEs on teachers who teach the children. Ms. Burroughs added that recent research findings from resiliency studies should be incorporated into a presentation.

Mr. Walton asked for a discussion about the allocation of dollars flowing into the NC Pre-K and Child Care Subsidy systems, because he is concerned that subsidy assistance dollars are down. Director Carter stated that she and other state and federal leaders are expecting a significant increase in federal CCDBG funding, and if that occurs, then many more children will be able to be served.

Dr. DeGrella asked for an update on the work toward a revised TQRIS. Director Carter stated that there is a collaboration going on now exploring these issues, and there will be an update presentation in September from the workgroup.

Dr. Foster suggested a presentation on preventing preschool teacher and staff burnout.

Chairperson Weinert suggested a presentation by DCDEE Regulatory staff to provide greater understanding of the process of provider monitoring visits and where potential miscommunication may occur between staff and providers. She also suggested increased technical assistance training in implementing rules and requirements for new DCDEE child care consultants.

**Professional Development Committee Update—Lanier DeGrella/Rhonda Rivers/Susan Butler-Staub**

**Background from 12/11/17 meeting**

As part of the public comment on the set of rules that the Commission recently adopted, a letter was received from the Institute for Child Development Professionals. This letter was related to annual in-service training requirements and recommended that the Commission consider expanding the definition of what would count for professional development to include, for example, some level of technical assistance that might be provided, or for time spent being coached or mentored. The letter did not contain suggested language to be incorporated into that set of rule adoptions. Based on this information, the Division has recommended convening a workgroup to review this concept that would include those on the Institute’s Committee, as well as additional members. This workgroup was described during the September Commission meeting. It would be short-term and would discuss what parameters would need to be in place to expand this rule to include other activities. The current workgroup members are listed below.

Katura Jackson-Co-chair	Work Family Resource Center
Victoria Vample-Co-chair	Guilford Child Development
Susan Butler-Staub	Central Piedmont Community College
Sharon Spigner	NC Pre-K EESLPD-DCDEE
Kara Lenhardt	NC Partnership for Children
Wendy Price	Down East Partnership for Children
Carroll Worrell Barnes	Beaufort Hyde Partnership for Children
Okeyma Wright	Child Care Networks Regional Manager
Kim Shaw	A Safe Place
Jeannie Reardon	NC Health and Safety Resource Center
Lanier DeGrella	Infant Toddler Expert
Jani Kozlowski	Volunteer
Norma Honeycutt	Partners in Learning

Rhonda Rivers joined Lanier DeGrella and Susan Butler-Staub on this committee as a representative from the Child Care Commission

**Current Meeting Updates**

Ms. Rivers, Dr. DeGrella, Ms. Butler-Staub updated the Commission on the first meeting of the “Committee to Examine Countable Staff Professional Development Activities for Program Licensure”. The committee charge is to provide recommendations to DCDEE and the Commission on whether and under what conditions onsite technical assistance in classrooms could be counted toward employees’ professional development hours. The Committee has diverse representation and all agreed that there is value in allowing technical assistance to count toward professional development hours.

Allison Keisler and Justin Berrier provided the group with a review of current laws and rules on training and training approval and what be required to change those. Current rules include the approval/denial process for trainers/training and the number of hours required for training.

Speaking for herself, Dr. DeGrella stated that when delivered appropriately and according to adult learning principles, both training and technical assistance (TA) have the potential to impact what happens in classrooms and other early care group settings and ultimately improve outcomes for children. The key variables in the discussion include the WHO (TA provider and TA recipient) and the HOW. The WHAT is not part of this process; the topic categories are already outlined for training work for TA. The group also spent time identifying “Only Ifs” that will be the basis for the next meeting’s work.

It is important to qualify that this work is just beginning and there remains a lot of thought, discussion and work before any specific recommendations will be ready to bring to DCDEE and the Commission.

Following are several topics where there appears to be general consensus about what might be required for TA to count toward Professional Development hours:

1. TA provider is a qualified professional—education level, specialized training, etc.
2. TA provider uses standardized methods for “counting” the hours, as well as documenting and reporting hours.
3. TA approach follows agreed upon model—including a cycle of observation, goal setting, coaching, timely evaluation and feedback.
4. TA is included in and linked to the person receiving TA’s professional development plan
5. TA is optional; it is not required for PD hours.

The next meeting of the committee is March 5<sup>th</sup>—Allison and Justin will share information with the group about what other states are doing regarding professional development, and the group will break into workgroups to continue work on “Only Ifs” that will lead to making recommendations.

Ms. Butler-Staub added that whatever TA model the committee agrees upon would not be in lieu of other needed “one-shot” TA or training. Ms. Schoel asked whether the evaluation of the training would be quantified; one cannot manage what is not measured? Ms. Rivers stated that the model is designed to include follow-up to measure impact. Dr. DeGrella stated that a lot of what counts now as PD hours is not making a difference in the classroom, and the committee wants to acknowledge and give credit for good work in classrooms, instead of teachers taking courses for hours only in order to meet a countable hours requirement. Dr. Elizabeth Gilleland stated that she likes this “mentoring” model.

**Lunch break at 11:32 a.m., meeting reconvened at 12:56 p.m.**

**1:00 p.m. Public Hearing**

Chairperson Weinert discussed the Public Hearing process. The purpose of the Public Hearing is to receive comments from the public on rule text published in the NC Register on January 16<sup>th</sup> regarding the following rules: Minimum Standards, Rated License, Administrative Actions, Civil Penalties and Criminal Records Check Rules. The public comment period for these rules ends on April 3, 2018; therefore, the Commission will not presently be taking any action. The earliest possible effective date would be June 1, 2018 pending RRC approval.

She then read the required statement related to the published rules and the purpose of the public hearing –

**The NC Child Care Commission proposes to readopt rules in 10A NCAC 09 in accordance with G.S. 150B-21.3A as part of the periodic review of rules process. The proposed rules are as follows: Rated License and Minimum Standards - .0513-.0516, .1101, .1715, .1729, .2801-.2802, .2804-.2809, and .2817-.2831.** Rules in 10A NCAC 09 .2800 promote the quality of child care for children enrolled in child care facilities that choose to participate in the two through five star rated license process. The most important substantive changes involved applying rules previously required only of 2-5 star facilities to minimum requirements required of all child care centers as was requested by the North Carolina Child Care Commission. All family child care homes will now be required to develop and implement written operational policies and procedures and complete a self-study and self-assessment of the Family Child Care Rating Scale. All child care centers will now be required to develop administrative policies, operational/personnel policies, and parent participation policies currently required for centers that hold a 2-5 star rated license.

**Administrative Actions, Civil Penalties, and Criminal Records Check - .0401, .1904, .2201-.2209, .2213, .2216-.2217, .2701-.2704 and .4001.** The rules in Section .2200 pertain to the implementation of administrative actions and civil penalties that a facility could be penalized for if the regulations aren't practiced. These changes add clarification to the existing rules. Rules .0401, .1904, and .2208 are proposed for repeal. **Rules in Section .2700 Criminal Records Check sets the standards for obtaining background checks for potential owners and employees that choose to work in child care.** The proposed rules promote the quality of child care for children enrolled in child care facilities that choose to participate in the two through five star rated license process. The proposed amendment to Rule .2703 includes a type of facility that operates in a personal residence. This amendment will align with the rule that specifies the grounds for the issuance of a summary suspension of a child care license if the provider living in the Family Child Care Home is disqualified.

Speakers are reminded that the Public Hearing is a forum for the Commission to listen to public comments; the Commission does not respond to specific questions. However, if staff is available to address a question, they may choose to do so. The Commission will not be taking any action on these rules today, as the public comment period has not ended. The Commission will have the opportunity potentially in April to adopt the rules as published or adopt the rules with changes.



**Joanne Whaley—Sunshine House**

Ms. Whaley provided her personal experience involving a self-reported incident of maltreatment that resulted in an administrative action for maltreatment. She felt the situation was handled in the correct way, yet her facility received a special provisional action which affected the facility instead of the staff member who was fired and caused the incident; in addition, nowhere in the report does it indicate that the incident was self-reported, which would allow parents to know the provider was vigilant and proactive in correcting the problem.

**Cindy Hammer—Pleasant Grove Child Development Center**

Ms. Hammer expressed that there is confusion in the community concerning several issues, including in-service training; requirements of printing ProSolutions certificates versus transcripts; NCID and WORKS not connecting; lengthy process of out-of-state criminal background checks; SIDS brochure is outdated; the rules are in place without a set date as to when they will receive training; and an underlying lack of trust resulting in rampant frustration.

**Will Deter—YMCA of WNC**

Mr. Deter disputed the impact analysis stating that in his opinion the incidence of violation cannot be predicted and quantified. In addition, he critiqued the vague language of the rules, such as “history of noncompliance”. He stated that he is very nervous with DCDEE’s discretionary authority, and feels that the Division should ask advice about the effectiveness of the process before implementing it.

**Angela Beacham—Little Town Learning Center**

Ms. Beacham began by stating that all providers speaking today are invested in children. She indicated that she supports what the prior speakers stated and will not repeat those points. She addressed the issue of not allowing orientation and training of new teachers while waiting for the criminal background check. During that waiting period, providers could be training teachers so that the teachers are ready to move into the classroom as quickly as possible. Ms. Beacham stated her belief that nobody is talking about putting teachers in with children prior to approval; just providing training and orientation.

**Perry Melton—Building Blocks Early Education**

Mr. Melton made the statement that public providers are being force out of the child care market because of excessive regulation; therefore, children with the greatest need will not receive services. He stated that, especially when dealing with military subsidy, an administrative action is the ‘kiss of death.’ If military subsidy (NACCRRRA) is removed from a facility due to an incident, 50-100 children at a center will not be able to find alternative centers. He also stated his belief that seemingly simple rules and regulations can have profound consequences for centers and the children they serve.

**Vic Coffenberry-CWCC Granville**

Mr. Coffenberry discussed the problem that he is seeing with potentially quality programs *choosing* not to participate in the rated license system and receiving a one-star rating. He would like to see this decision differentiated from the rating of a program which receives a one-star rating as a result of actual effort with minimal results, and is concerned that this same rating through a different process is not identified on the DCDEE website for parents to know that one of the ratings

is a result of a program *choosing* not to take part in the voluntary rating system and the other is for a program of actual minimal quality. Mr. Coffenberry does not feel that the choice to not participate in the licensing system should result in a penalty for programs.

### **Linda Piper—NCLCCA**

Ms. Piper noted appreciation for those who have already spoken so eloquently to the issues in the child care community. She listed additional issues that are prevalent in the community, including the problem of programs being penalized for self-reporting; the issue of vague language regarding “patterns of noncompliance”, and potential penalties for programs having had “similar situations” for patterns of noncompliance. She also spoke the unfairness she feels exists regarding previous administrative actions that may have occurred with previous program directors counting towards a facility’s history of noncompliance. Ms. Piper proposed that a written reprimand should be pulled out from under the umbrella of administrative action and serve as a mid-level reprimand in between a violation and an administrative action. She also spoke to changes she would like to see in the rule language that would make violations align better with the severity of penalties (e.g., prior wording “not likely to occur” changed to “will not occur”). Ms. Piper also spoke to the challenges related to not being able to employ teachers prior to CBC approval. She proposed that language be changed from “prior to employment” to “prior to unsupervised interaction with children.”

Ms. Piper asked Chairperson Weinert to read three letters which were submitted by members of the public into the record:

- Georgia Bullo—Issue: Safety inspections.
- Maude Scroggins—Issue: Teacher orientation/training not allowed while waiting for CBC because of “prior to employment” language.
- Vonda Krueger— Issue: Teacher orientation/training not allowed while waiting for CBC because of “prior to employment” language.

### **Lauren Hayworth—A Child’s World Learning Center**

Ms. Hayworth echoed previous statements about the desire to change the language in the CBC rule from “prior to employment” to “prior to pay or working with children”. She proposed that the orientation and training of teachers can occur at a separate location from the children.

### **Vernon Mason Jr.-- Private Provider, Wilson and Johnston Counties**

Mr. Mason echoed Ms. Piper’s sentiment that the morale of the field is at an all-time low. He stated that programs serving at-risk children are required to meet much higher standards than programs that only serve private paying children or that have voluntarily chosen to only be licensed with one-star. Mr. Mason raised the issue of what he sees as unfairness related to the size of a facility and how that can affect the likelihood of a violation being encountered (i.e. maintaining staff records for 100 staff members rather than 10 staff members/children/etc.). In addition, he raised the issue of consultants differentially applying rules and inspectors citing violations and then not returning for a year to see if those violation have been rectified.

Chairperson Weinert stated that the requirement of the CRC Rule and full clearance of employees “prior to employment” is a product of NC General Statute and directed all members of the public to review N.C.G.S. 110-90.2(b) for details of that requirement.

**Chairperson Weinert officially closed the Public Hearing at 2:00 p.m.**

**Public Comment**

**Angela Beacham—Little Town Learning Center**

Ms. Beacham raised the issue that she previously brought before the Commission in May 2017. She is asking that for Developmental Day centers operating for 12 months, that during the two additional months of operation, the center be allowed to apply a teacher-child ratio of 1:9 instead of 1:6. She pointed out that those two months fall out of the purview of the 185 days of the school year as defined by the State Board of Education and these programs do not receive any Developmental Day funds during those months. She is unable to afford to continue the 1:6 ratio without the funding for those two months.

**Linda Piper—NCLCCA**

Ms. Piper reiterated the recurring theme of provider frustrations. She stated that she wants DCDEE to have the authority to stop subsidy fraud and recoup funds, but she also wants to ensure that there is clarity to the rules. She is calling for technical assistance from DCDEE to programs to minimize room for interpretation by consultants and misunderstanding from providers. She provided examples of misinformation and costs resulting from differential interpretation of consultants.

Ms. Piper bulleted key points of why she feels that providers are frustrated: 1) reported increase in rule violations and severity of consequences; 2) potential Social Services Commission subsidy rule violation consequences; 3) NC FAST rollout issues; 4) potential DCDEE provider compliance unit and attendance record violations. She concluded by stating her feeling that changes should start with the General Assembly and it would be preferable if the Division and providers could present a united front.

**Vernon Mason Jr.—Private Provider, Wilson and Johnston Counties**

Mr. Mason provided examples of what he feels are unfair actions that have been issued in child care facilities. For example, a child care center is cited for a violation by an inspector, the violation is corrected, but the inspector does not come back for over a year to document that the problem has been fixed, leaving the center vulnerable to a violation citation. He stated that there is a problem with all centers being held to the same standards regardless of size, rurality, access to qualified personnel and availability of resources. Mr. Mason concluded by responding to Chairperson Weinert's statement that the CRC language must be addressed in statute; he feels that while the primary language is in Statute, requiring a violation to be issued that results in an administrative action is not in statute, and therefore this may be changed in rule.

**Carolyn Driggers—Appletree Day Care Center**

Ms. Driggers is concerned that smaller centers are being treated the same as larger centers, yet larger centers have more children and more staff to address or prevent possible issues. Therefore, the margin of error is higher with smaller facilities. She expressed that if a center self-reports, terminates the offending staff member, and corrects the situation by implementing a new policy and/or by providing additional training that an Administrative Action can be too harsh of a punishment. Ms. Driggers stated that the demands on child care centers have increased substantially and she would like to see DCDEE and providers working together. She stated that her centers need more technical assistance because the challenges they are facing today and the resources that are currently available are not enough.

**Perry Melton--Building Blocks Early Education**

Mr. Melton stated that there are more regulations in child care than in the financial industry where he worked previously. He understands that the motives behind the regulations are pure; however, they are having the unintended consequences of depriving quality child care to children most at risk.

**Commission Comments**

Chairperson Weinert thanked all who spoke and assured them that they are being heard. She hopes that what comes from this meeting is to coordinate what is happening on the ground with what was intended with the rules.

Ms. Schoel asked whether the Commission will discuss the rules that were commented on at the next meeting and make any adjustments based on comments before those rules are submitted? She requested to receive any documentation available to help inform that discussion. Chairperson Weinert stated that the Commission will discuss the rules covered in today's public hearing at the next meeting, after public comment ends, on April 3<sup>rd</sup>.

Mr. Walton agreed with what he heard today and stated that his facilities used to be 80% subsidy, 20% private, and now those percentages have flip flopped because of basic business sense. Mr. Walton restated his concern that ironically, certain rules designed to make children safer may be creating more unsafe environments.

Rev. Charles McDowell thanked providers for their service and speaking today and hopes the Commission will show tangible proof at next meeting that they have been heard.

Dr. Gilleland requested that Commission members actively provide suggestions for any rule changes based on what they heard today and that instead of just considering altering rules because of the expense, that the Commission should lead the charge to implore the General Assembly to provide more resources to support early childhood providers in implementing the rules.

Chairperson Weinert asked providers to email her ideas of how to resolve any concerns by March 15, so that they can be compiled and shared with all Commission members. Ms. Melissa Burroughs asked that Mr. Green, the Commission attorney, be copied to review all suggestions from a legal perspective.

Dr. Foster made a statement encouraging advocacy in the forms of religious institutions and other community groups "adopting" preschool programs that receive subsidy and NC Pre-K to help them address program needs.

**The meeting adjourned at 2:53 p.m.**

**The next meeting of the North Carolina Child Care Commission is scheduled for April 9, 2018 from 9:00 a.m. – 4:00 p.m. (Fourth Quarter Meeting)**

**Future Meeting Dates:**

- September 17, 2018 — First Quarter Meeting 9:00 a.m. - 3:00 p.m.
- November 5, 2018 — Second Quarter Meeting 9:00 a.m. - 3:00 p.m.
- February 11, 2019 — Third Quarter Meeting 9:00 a.m. - 3:00 p.m.