

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

**NORTH CAROLINA CHILD CARE COMMISSION
2013-14 THIRD QUARTERLY MEETING MINUTES**

February 24, 2014
319 Chapanoke Road, Ste. 120
Raleigh, NC

Commission Members Present

Elliott Blades
Jonathan Brownlee, Sr., MD
Sue Creech – Vice Chairperson
Kevin Campbell
Zac Everhart
Melanie C. Gayle
Elizabeth Gilleland
Robin Kegerise

Kay Lowrance
Charles F. McDowell, III
Janice Price
Richard Rairigh
Linda K. Vandevender
William C. Walton, III
Glenda Weinert – Chairperson

Commissioners Members with an Excused Absence

April Duvall
Laurie Morin

Division of Child Development & Early Education Staff Present

Robert Kindsvatter, Director
Tammy Barnes, Regulatory Services Section Chief
Melissa Stevenson, Licensing Enforcement
Dedra Alston, Administration/Policy
Nicole Wilson, Licensing Enforcement
Jennifer Johnson, Education & Quality
Heather Laffler, Administration/Policy
Alexi Gruber, Attorney General
Lorie Pugh, Regulatory Services
Sarah Buckner, Education & Quality
Laura Hewitt, Regulatory Services
Lisa Lyons, Licensing Enforcement
Cindy Wheeler, NC Pre-K

CALL TO ORDER

Chairperson Glenda Weinert called the meeting to order at 9:03 a.m. and reviewed housekeeping items. She welcomed everyone and discussed the meeting agenda. She read the conflict of interest statement which is presented at each meeting. There was no conflict noted for today.

Two Board of Ethics appointment statements were read for Ms. Kay Lowrance and Ms. Linda Vandevender. Ms. Stephanie Graham, staff member for the DCDEE, officially swore in Ms. Vandevender and she introduced herself to the Commission. For both statements, no actual conflicts of interest were found. For Ms. Vandevender, a potential conflict of interest was found, which does not prohibit service on the Child Care Commission. Ms. Vandevender is the Director of Trinity Christian School and has been appointed by the Governor. She will fill the role of a non-profit operator. Ms. Lowrance will fill the role of an "At Large" member on the Child Care Commission. Chairperson Glenda Weinert asked each member of the Child Care Commission to introduce themselves to Ms. Vandevender, and attendance was taken by Ms. Dedra Alston. Chairperson Weinert noted the excused absences of Ms. April Duvall and Ms. Laurie Morin.

The audience was reminded that there is time designated for Public Comment during each Commission meeting. Unless the Commission requests information from someone in the audience who is an expert in the topic of discussion during the Commission meeting, the audience is requested to hold any comments until the designated Public Comment time. This will allow the Commission to recognize all who wish to address them during the meeting.

Approval of December Commission Minutes – Ms. Price moved to accept the minutes of the December meeting with grammatical changes to be made. The Chairperson stated that Child Care Commission Members who had not received information about re-appointment (or replacement) may continue to serve until they have been officially re-appointed or may resign, if they so choose to do so. The Commission has two continuing appointments which have neither been confirmed nor replaced.

Division of Child Development and Early Education Report – Rob Kindsvatter, Division Director

Mr. Rob Kindsvatter, Division Director, introduced himself to the Commission and welcomed the new member. Mr. Kindsvatter gave updates concerning NC Pre-K, planning for assessing outcomes, increased access to higher quality care, Regulatory update, SEEK update, relocation update, Federal funds, and the upcoming legislative session.

NC Pre-K Update -- For NC Pre-K, DCDEE received a SFY 13-14 base allocation to serve 24,436 children with a \$12.4 M expansion which increased the total to 26,617 children to be served. Mr. Kindsvatter mentioned that all Pre-K public school sites must be licensed by July 1, 2014 and there would be continued partnership with schools to achieve licensure. DCDEE staff began working with 141 sites at the start of the year and currently there are 109 remaining sites to be licensed. It is expected that the vast majority of these sites will be licensed by June 30.

The NC Pre-K Payment Pilot has been completed and copies of the first of two legislative reports that was submitted regarding this pilot will be sent to each Commission member. There were 7 NC Pre-K contractors who participated in this pilot study and they are Davidson, Down East, Duplin, Orange, Pitt, Union and Wilkes counties. This study was to show the difference in attendance when paying a per classroom rate rather than a per child rate for NC Pre-K services. There were 2 months of data reported to the General Assembly in the initial report, and a second report will provide longer-term data. This pilot was funded through NC Pre-K expansion funds, due to the fact that base funding had already been contracted by the time the budget and requirement for the pilot were approved.

In total, 728 children were involved in the pilot program, which represented fewer than 3% of the total NC Pre-K population. The pilot involved 16 private facilities, 14 public facilities and 1 Head Start facility. Overall, the per-child payment was higher in the pilot (\$533 per child for per classroom verses \$504 per child by attendance). In the public schools the rates were actually lower (\$420 per child verses \$463 per child) per month in the pilot. In the private facilities, the cost was higher (\$676 per child verses \$607 per child) per month when paying by attendance. This data will be reviewed again when there is a full year to compare. A copy of the report and the follow-up report will be given to the Commission.

Mr. Blades asked in the comparison of the cost, were classrooms/programs required to have the same structure (private verse public)? The answer to this is 'yes.'

Also the following questions were asked by other members for future research:

- Q. What is the cost per child in terms of actual cost to the State/program?
- Q. When people say it costs less, how much is the cost less, or is there actually a greater underlying cost, especially in public school settings where administrative and overhead costs are paid elsewhere?
- Q. How were the per classroom rates determined? Because public schools do not pay rent like the private schools, were the same resources still in place?

- Q. Is there a way to present a clearer, more comparable rate for understanding?
- Q. Is there a way to determine how to actually expand the pool of children being served, rather than providing more funds to public schools and 'double dipping' on top of funds provided to Title I participants?

Mr. Kindsvatter responded that the Division would research the pilot and other Pre-K data and compare the rates and costs data with non-pilot NCPK programs to provide further analysis.

In addition to the payment pilot, a standardized NC Pre-K classroom placement process is also being required for SFY 14-15. There was a pilot to evaluate this concept in SFY 12-13 and it is now required in SFY 14-15. Information about this requirement will be presented at the next Commission meeting.

Ms. Linda Vandevender commented that program and community involvement and history should be considered in the placement rubric. She noted that for the last 12 years programs have followed and completed requirements for hosting Pre-K programs, and that should count toward future program participation. William Walton concurred, saying that it goes back to utilizing a standardized selection process.

Mr. Kindsvatter provided a brief comment on the rules review process. He noted that the General Assembly mandated a statewide review of all rules under the Regulatory Reform Act. There are a total of 172 rules to be reviewed by the Commission Committee. Mr. Kindsvatter appreciates the work that the Child Care Commission is and will be doing to meet this requirement.

SEEK Update – Making payments based on SEEK swipe data is currently being piloted in Alamance, Alexander, and Johnston Counties. Through this pilot the Division is seeking to ensure that payments are not being duplicated, and also that there are not problems. Based on the experience in these counties it seems that most parents are swiping correctly, and DCDEE is trying to ensure that where there are problems that issues can be resolved, and hopefully prevented in the future. DCDEE will be able to share more information regarding this pilot at the next meeting.

Mr. Walton suggested that if a parent does not swipe correctly, that services should be able to be terminated, as an inaccurate payment results in a financial loss to the provider. Mr. Kindsvatter stated that from the initial data, it is clear that parents do sometimes miss swiping their card for attendance, and therefore the Division wants to incorporate a process that will ensure that back swiping is able to be done correctly and relatively quickly/easily. The review of the pilot outcomes will show where the issues are and how the Division can address those issues/challenges. DCDEE will continue to address issues to prepare for a full statewide implementation.

DCDEE Relocation -- Mr. Kindsvatter will send out information concerning the completion of the relocation and where the next Child Care Commission meeting will be held. The move of Division staff is two-thirds complete, and the remaining staff will move at the beginning of March.

Federal Funds -- DCDEE has received information regarding the approved federal budget indicating that CCDF block grant funds will be increased to restore the sequestration reduction for the coming fiscal year. Division budget staff are waiting for the breakdown of the percentage for supporting funds and further budget detail.

Information is continuing to be released regarding the application process for new federal competitive grants for Early Head Start-Child Care Partnerships. This additional funding will serve pre-school children, infants and toddlers.

New Member Training and Refresher for Existing Members

Assistant Attorney General Alexi Gruber and Rulemaking Coordinator Ms. Dedra Alston provided training regarding the roles and responsibilities of the Child Care Commission. Ms. Gruber began with a discussion of Administrative Law. She explained that the General Assembly has delegated rulemaking authority to the Child Care Commission. Ms. Gruber also explained that the North Carolina Child Care Act sets out the specific duties of the Child Care Commission.

The Child Care Commission's duties consist of:

- 1) Rulemaking responsibilities
- 2) Declaratory rulings
- 3) Approval of curriculum used in NC Pre-K and four year old classrooms in 4 and 5 star facilities.

Child Care Subsidy rules, including any requirements related to the SEEK system, are not under the authority of the Child Care Commission—those rules are promulgated by the Social Services Commission.

Ms. Gruber also reminded Commission members about requirements regarding the North Carolina Open Meetings Act and public access to information transmitted between and among members of the Child Care Commission. Any gathering of a majority of Commission members must be done publicly. Commission members' communications related to Commission business are subject to the North Carolina Public Records Act.

Lunch break at 11:30 a.m., meeting resumed at 12:30 p.m.

Public Comment

Each Commenter Bulleted:

- Kateri Carver-Akers, representing new non-profit new organization, the Montessori Association of North Carolina, with members all across the state. The mission of the group is to promote and support in a collaborative effort to unify public, private and Montessori education for all children in North Carolinas
- Michelle Rivest, Executive Director of North Carolina Child Care Coalition. The mission of the NC Child Care Coalition has always been to promote quality child care and education throughout North Carolina. Ms. Rivest noted that NAEYC accreditation is not a part of NC's statewide regulatory/accreditation system and so should not count as an 'approved' curriculum or automatic licensing. However, the Coalition does support the work of NAEYC and having a list of approved curricula that meet children's needs.
- Shelia Hoyle, spoke on behalf of North Carolina Early Child Care Association concerning the delivery of education throughout the state. She requested that the Commission continue the high quality of standards and not weaken the standards/quality.
- Linda Piper, spoke on the behalf of the NC Licensed Child Care Providers Association. Ms. Piper stated that she attends and speaks at each of the Commission meetings on behalf of child care providers who often cannot get to the Commission meetings in Raleigh, during the work day and work week. She and members and the Association (providers) therefore invite members of the Child Care Commission to attend the Association's conferences and meetings to hear and see what is happening with providers. The providers are very involved and would like to have input from the Commission as they move forward.
- Tracy Riddle with the Department of Public Instruction spoke on behalf of the State agency responsible for funding and overseeing State delivery of developmental day services. She asked that as the Commission reviews developmental day rules that it continue to consider the child care centers/facilities and where those are available and located to serve children with special needs.

- Justin Thomas commented that his company has developed a mobile application to help with child care program check in and administration. Mr. Thomas wants to know more about what the Commission does and learn how his company can assist programs.
- Lorie Barnes with the North Carolina Association for the Education of Young Children (NCAEYC), one of the oldest and largest professional associations in North Carolina, provided comments. This group is specifically concerned about the care of children from the ages of 0 to 8 years old and has members that work directly with children and work for quality child care and the very best for children.
- William Walton read into public comment an email his facility had received concerning an unregulated child care center being operated out of a home. In this message the parent stated that they would like to provide higher quality care for their child, but the cost of a regulated center is prohibitive.

Chairperson Weinert mentioned that community colleges need more awareness of DCDEE's requirements for child care as related to the curriculum being taught. She has observed while working at a community college that their course requirements in child care do not meet the DCDEE requirements for child care facilities. She also stated a concern that the Commission is responsible for providing information to the colleges (or the community college system) regarding appropriate instruction and teaching the appropriate child care education curriculum. College administrators need to have a better understanding of what is required. She suggested writing a letter to the community college system regarding DCDEE's requirements for early childhood education.

Child Care Provider Business Plan Presentation – Chairperson Glenda Weinert & Lois Stephenson

Chairperson Weinert and former Commission member (and current center owner) Ms. Lois Stephenson provided information to help Commission members understand their perspective of the business side of child care facility operation.

Years of child care cost more now than public college tuition. What the presenters feel is important about that statement is "we [the Commission] are the reason the cost continues to increase. We drive the cost, and if we do nothing but increase requirements without ever looking at the expense side of what is being created, there will never be enough dollars to accomplish the goal. Because we deal with children, families and providers, there are many areas that are affected by the decisions this committee makes. It is not possible to affect one side of the transaction and not have consequences for that action."

In some people's minds child care providers are getting rich and only concerned with profit. Providers are also concerned about the quality and care of children, but they must be able to afford the care in order to provide it. When market rates are not touched for years and years, providers are asked to continue to add more and more quality initiatives without more dollars. Years ago payroll costs for an average provider were 52% of operating expenses, but now it takes on average more than 60% of everything that comes into a facility to cover payroll.

Quality enhancements are required to be licensed as a 5-star facility, and as we look at the rules review; as we view quality and its value, we must pay close attention to cost of care, regulations and market rates. As market rates remain stagnant and our regulations increase, child care programs struggle to remain in business. The families that we are trying to help have less access to quality care because they cannot afford to pay the difference between market rates and private pay rates and providers cannot afford to change their cost or dismiss the difference. Quality must equal good sound business practices as well as quality child development. Quality must be sustainable.

Ms. Linda Vendevender stated that 25 years ago when NC was approaching the move from "A" to "AA" licenses – moving into its current star rated system – from a baby-sitting viewpoint, moving from largely

unregulated child care to regulated, it helped to establish a foundation where a parent could rest assured that they were taking their child to a facility that would protect them. The concern now is that the state has "created this monster" – are we pushing the parents back into unregulated child care because they cannot afford the cost? If it comes down to a parent buying groceries versus paying for child care, the parent will buy groceries and take the child to an unregulated facility because the cost is much less.

Chairperson Weinert and Ms. Stephenson feel that the Commission "must view the financial impact of how providers care for the neediest North Carolinians, who do not have a voice. The 'little ones' need responsible adults making responsible decisions for a better outcome."

Chairperson Weinert said the intent is not to minimize quality requirements or change the focus but to bring perspective to both sides of the conversation of how do we get true quality and bring everything under one umbrella?

Regulatory Reform (Rules) Update – Alexi Gruber and Dedra Alston (including revisions to meeting schedule/structure)

Attorney Gruber shared the Rules Review Commission's (RRC) flow chart created based on the Regulatory Reform Act. This Act requires all agencies to review all rules within a certain period of time or the rules will expire.

The Commission is first charged with reviewing all 172 rules in 10A NCAC 09 and making a determination of which categories they fit into in accordance with G.S. 150B -21.3A(c)(1): (1) unnecessary; (2) necessary without substantive public interest; or (3) necessary with substantive public interest.

The Commission may wish to consider restructuring the rules at some point in the process in a manner that will make it easier for providers to understand. Ms. Gruber indicated that the Commission may need to move to a two-day meeting schedule once the regulatory reform process requires them to review individual rules before re-adoption.

Chairperson Weinert commented that there is a lot of work to be done and reviewing the language and intent of all 172 rules will be an enormous task. The Commission will need to set aside more than one day a quarter for the process. She suggested the Commission discuss which of the next 4 to 5 meetings could become a 2 day meeting. As Ms. Alston explained in addition to reviewing rule text, the Commission must also make time to respond to the negative comments of the rule making process for every rule. There is a format that has to be used for these responses and the Commission will need time to give thoughtful responses.

Ms. Alston went on to explain that once she receives the final categorization report (excel spreadsheet) from the RRC, she will verify that all of the rules in Chapter 09 are listed and she will respond to the RRC within 10 days that all of the rules are listed. After the Commission has classified the rules, they will vote on them to be published and accept comments for 60 days. The report will be posted on OAH's website and the Division's website. After the comment period has ended, the Commission will review all comments received and respond to comments objecting to a rule. The Commission will make adjustments to the report, if needed, and then file the report, the comments, and their responses to comments with the RRC by February 15, 2015. The RRC will review the report and the written comments. If they agree with the report, they will submit it to the Administrative Procedures Oversight Committee (APO). They have 60 days to meet and approve the report. Once approved, the rules will remain in effect until they have been readopted. The unnecessary rules will expire at that time.

The proposed timeline for the process is as follows: At the May meeting, the Commission categorizes the rules and votes for publication and comment on how the rules were categorized. Comments are accepted

for 60 days. In August and November the Commission will review and respond to comments received. The next step will be for the Commission to approve the final report to be submitted to the RRC by February 15, 2015.

Chairperson Weinert asked staff to review the rules and make a recommendation to the Commission. She also asked the Commission to do their homework and review the rules themselves to shorten the time for this process.

Rules Discussion

Update from the Rules Review Commission (RRC)

The RRC approved the following rules in 10A NCAC 09: Criminal Records Check .2701-.2704, .1702 and .0302; See & Hear Supervision .2506; and Developmental Day .2903) at their February 20th meeting. They will become effective March 1, 2014.

Emergency Preparedness and Response (EPR) fiscal note approval

Laura Hewitt, DCDEE Policy Consultant, reviewed the changes made to the Emergency Preparedness and Response rules and fiscal note to reduce the net present value of rule implementation from \$3.94 million to \$793,256. On Page 22 of the fiscal note, 10A NCAC 09 .0607 requires an administrator or a designated staff person to complete the Emergency Preparedness and Response in Child Care training rather than the administrator and one additional person on staff. This change was made throughout 10A NCAC 09 .0607. Another change to the rule was removing the requirement to include in the EPR plan, the location of a Ready to Go Kit. Instead in 10A NCAC 09 .0607(c)(4), language was added to require in the EPR plan "a description for how children's nutritional and health needs will be met." In 10A NCAC 09 .0607(c)(5) the word "reunification" was added. It was noted that the definition of the Emergency Preparedness and Response Plan was moved from 10A NCAC 09 .0607(d) to (b). This change required an edit to the rule citation on page 21 in Paragraph (p). The DHHS attorney suggested another editorial change on 10A NCAC .1003(k), changing the format from a numbered list to a sentence.

One Commissioner asked what the difference was between the application for child care and the medication authorization form. It was noted that the application for child care includes authorization for emergency medical care and the medication authorization is a form giving permission for staff to administer medication. The medical authorization is referenced in the list of items required for the Ready to Go file in 10A NCAC .0607(10).

Mr. Rairigh motioned that the Child Care Commission accept the revision of the rules for Emergency Preparedness including 10A NCAC 09 .0607, .1723, .0804, .2404, .0102, .0302, .0604, .0707, .1701, .1705, .1720, .1721, .2318, .2829, including discussed changes that DCDEE staff will make to rule .1003 to be published for public hearing and comment. The motion was seconded by Ms. Lowrance. The Commission voted unanimously to approve the EPR proposed rule language and publish them in the NC Register.

A motion was made by Ms. Melanie Gayle to approve the fiscal note and seconded by Rev. Charles McDowell. The Commission unanimously approved.

Discussion of Curriculum Approval for the NC Pre-K and 4-year-old Classrooms

Chairperson Weinert began by saying there had been a significant amount of discussion about the curriculum issue even during the public comments today. Chairperson Weinert then opened the topic to the Commission for discussion.

Mr. Campbell said he was appointed to the Commission by the Speaker of the House; however he was sponsored by House Representative Justin Burr. Representative Burr serves as the Chair of the Joint

House and Senate Committee on Early Childhood, which wrote the legislation on curriculum and requiring an approved curriculum for NC Pre-K and 4 year old classrooms. Mr. Campbell stated he did not agree with the way the Commission is currently interpreting the legislation around curriculum, so he and William Walton decided to meet with Representative Justin Burr to ask him whether or not they were interpreting the law correctly, per Rep. Burr. While speaking with Representative Burr, he mentioned different approaches about the law surrounding the curriculum for NC Pre-K and 4-year olds. After showing the spreadsheet of the eleven criteria for curriculum approval, he asked Representative Burr if that was what the legislature intended. Representative Burr said it was not what they intended. Rep. Burr stated that his interpretation was for the requirements to be simpler. Then, Mr. Campbell asked Representative Burr what age group the legislature was referring to in the law. Representative Burr stated that the legislation was intended to be for children who were in pre-kindergarten, in four and five star programs. Mr. Campbell stated that the Commission needs to first determine what age group the requirement is concerned with and second, the extent of the review of the curriculum for approval. He continued that the law specifically states evidence-based, with a reading component. It does not say anything about the other domains. Mr. Campbell said he did not think the Commission was implementing the law as it was intended. He further shared his view that there should be levels of curriculum usage. For example, at tier one, a program does not use any curriculum at all. At tier two, the law requires any 4 and 5 Star program to use an approved curriculum, at tier three a program can use an approved curriculum to earn a quality point and, at tier four, a NC Pre-K program must use a Pre-K approved curriculum. He said he did not think it was the intent of the law to have one process to cover Birth-5 and all types of programs. Mr. Campbell stated a process should be established using the two criteria in law: evidenced-based and literacy component, the literacy component being most important. He made the point that even though the law said to add approved curriculum to the NC Pre-K curriculum list, NC Pre-K programs would not be impacted because most counties dictate which curriculum NC Pre-K programs use. According to him, 83% of counties use either Creative Curriculum or Opening the World of Learning for NC Pre-K.

A motion was made by Mr. Kevin Campbell that the curriculum approval requirements be limited to literacy and evidence-based to satisfy Session Law 2011-0145 Section 10.7(b) and Section 10.7(d). This motion was seconded by Mr. Walton.

The Commission then moved forward with the discussion:

Mr. William Walton said we need to look at the tiered system as a future step and do what the Legislature authorized first.

The question was asked whether or not we would have to re-review all the curricula. Numbers of curricula reviewed for each round were given.

Chairperson Weinert re-stated what Mr. Campbell proposed in his motion from her viewpoint. She did not see the need to re-review curriculum. She said with the work that has already been completed, we would give credit at different levels. She said we would only have to review those that were rejected.

Ms. Janice Price stated that the Commission should give the publishers of the curriculum that were not recommended an opportunity to re-submit. They should be allowed to submit additional materials to support their request for approval.

Ms. Cindy Wheeler, Early Education Unit Manager (NC Pre-K Program & EESLPD Office), spoke on NC's Foundations of Early Learning and Development that are required to be used by all NC Pre-K programs and available for use by all other child care facilities. Foundations addresses all domains of a child's development, including social and emotional development, which are key to kindergarten readiness. The use of Foundations along with an approved curriculum and formative assessment tool are needed to fully and comprehensively address the learning and development domains defined in the North Carolina Foundations for Early Learning and Development. The Early Learning and Development standards are

required for all NC Pre-K classroom teachers to ensure that the approved curriculum aligns with these child development and learning requirements. When considering curriculum for other 4- and 5- star rated programs, it is important that tools (formative assessment and curriculum) address all domains defined by the early learning standards.

Ms. Wheeler stated criteria selected to assess whether a curriculum is comprehensive should include all the learning domains defined in NC's Foundations of Early Learning and Development standards.

Vice Chairperson Creech said that she did not expect to vote on the curriculum review process at this meeting. People have spent hours and hours on creating the curriculum review criteria and review process. She did not feel like she could make a decision at this time and asked for the discussion to be continued on the agenda for their next meeting. Chairperson Weinert stated that continuing the discussion is an option, but the Commission had to vote on the motion before them today, either approving or denying.

Dr. Brownlee asked who determined the absoluteness of the criteria and also what made one criteria less important than another.

Mr. Rairigh suggested a Commission subcommittee think of alternatives for review and approval and to address the issues being brought out. He stated that he needed to know more in order to feel comfortable making changes to the list of approved curriculum.

Ms. Elizabeth Gilleland stated her feelings that as part of keeping the current criteria for approval, the Commission also needs a process for an appeal. Chairperson Weinert asked if the appeals process allowed for an interview with the publisher. She also feels that the Commission needs to be respectful of the intent of the law, but allow opportunity for parent choice. She suggested Primrose Schools as an example. Parents who choose Primrose, choose Primrose for a reason—presumably including their required corporate curriculum. She later stated that the Southern Association of Colleges and Schools approved/accredited the Primrose program and we are saying it is not good enough. She has a problem with not approving a curriculum one year, then approving it the next after it has been revised by the publisher. She gave the example of High Reach. During one review it was not approved, and then in the next process it was approved. A program had to buy Creative Curriculum when they originally had High Reach, which became approved within a fairly short time frame.

Ms. Linda Vandevender shared charter schools as a framework where curriculum is an important factor for families' enrollment. She said charter schools submit their own vision and plan for State approval. If parents choose the charter school, then they are choosing that school as it presents itself. Under this curriculum review scenario, DCDEE Regulatory staff could go in and verify a program is, or is not using a curriculum that is evidenced-based and has a literacy component.

Ms. Gruber stated that according to the way the statute reads whatever the Commission changes for four and five star programs would also change curriculum requirements for NC Pre-K.

Mr. Rairigh pointed out that different individuals will find a reason to say each criterion is important. One person will say the social emotional domain is important, while another will say inclusion is important.

Ms. Wheeler clarified again that according to NC Pre-K requirements, the criteria must address all the learning domains in the Early Learning Standards.

Mr. Gruber has some concerns about whether the levels/tiers referenced in the motion abide by statutory requirements. The statutes say, "The Commission shall review and approve comprehensive, evidence-based early childhood curricula with a reading component. These curricula shall be added to the currently approved "More at Four" curricula." The tiers discussed in this motion would create different standards for NC Pre-K and four and five star programs, and the law does not allow the Commission to do that.

Mr. Walton said there should be a way that parents could be able to determine what their child needs with regards to the curriculum.

Ms. Gilleland said that parents are depending on the Child Care Commission to ensure appropriate curriculum for their children. She feels that the social and emotional piece is the most important. Criteria 1, 3, and 6 should also be used.

Chairperson Weinert said the Child Care Commission should be open for more diversity and protect the integrity of the process.

Vice Chairperson Creech said it would be a step backward to vote for this motion. Dr. Catherine Scott-Little should be contacted to re-organize the sub-committee so the 14 curricula can be reconsidered.

Mr. Campbell's motion was re-read and voted on. The result was 5 yes votes; 7 opposing votes; and 2 abstentions. The motion was defeated.

Mr. Blades suggested a need to change the criteria and allow the curriculum approval to be reviewed. He submitted a motion that:

- 1) The criteria and framework used to assess the curriculum shall be presented to the Commission
- 2) The Commission shall then establish the parameters, philosophy and methodology for modifying and/or enhancing the criteria and framework along with the developers.
- 3) The outstanding curricula not previously approved can submit an appeal against the new criteria and framework while the currently approved curricula are grandfathered in.

Mr. Blades' motion was seconded by Mr. Campbell. Chairperson Weinert called the question and the vote to approve the motion was carried unanimously by the Child Care Commission.

Chairperson Weinert stated there being no further business to discuss at this time, the meeting was adjourned at 4:25 pm.

The meeting's agenda was completed. A motion to adjourn was presented by Ms. Robin Kegerise and seconded by Ms. Janice Price.