

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

NORTH CAROLINA CHILD CARE COMMISSION

**Special Rules Meeting
Tuesday, July 26, 2016**

Dix Grill
1101 Cafeteria Drive
Employee Center
Raleigh, NC 27603

Commission Members Present

**Glenda Weinert, Chairperson
Zac Everhart
Melanie Gayle
Elizabeth Gilleland**

**Kay Lowrance
Donnette Thomas
Linda Vandevender
William Walton, III**

Commission Members with and Excused Absence

**Elliott Blades
Jonathan Brownlee, Sr., MD
April Duvall
Lisa Humphreys
Charles F. McDowell III
Laurie Morin
Kristin Weaver**

Division of Child Development & Early Education Staff Present

Pam Shue, Director	
Dedra Alston, Administration/Policy	Heather Laffler, Administration/Policy
Janice Fain, Administration/Policy	Andrea Lewis, Regulatory Services
Melodie Ford, Regulatory Service	Heather Marler, Workforce
Laura Hewitt, Regulatory Service	Lorie Pugh, Regulatory Services
Mary Pat Hicks, NC Pre-K	
Rachel Kaplan, NC Pre-K	

Attorney General's Office Staff

**Bethany Burgon, Commission Attorney
Alexi Gruber, DCDEE Attorney**

Welcome—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 conflicts of interest statement and asked whether there were any conflicts noted for today.

- Chairperson Weinert called for roll call, which Ms. Dedra Alston performed. Chairperson Weinert listed the Commission members who were absent from this meeting who requested and received excused absences.

Review of Rules Review Timeline

Chairperson Weinert reviewed the temporary Rules timeline with the Commission.

- Public hearing will be held August 9 1:00 p.m. in McBryde Room 130
- Rules Review will be held on September 12 at 10:00 a.m. by teleconference.

TQRIS

Per request of the Commission, Director Shue gave a summary update of the TQRIS Validation Study.

Continuation of Rules Review

After the discussion at the First Quarter meeting held on Monday, July 25, DCDEE staff amended the language and presented the changes to the Commission.

Staff Qualifications (.0705, .0706, .0707, .0708, .0709, .0710, and .0711)

- .0705 Special Training Requirements
- .0706 Health and Safety Training Requirements—incorporated temporary Rules language
 - Ms. Vandevender inquired whether the in-service training hours qualify as CEUs.
 - Ms. Gruber replied that the online training do not qualify as CEUs.
 - Ms. Vandevender voiced her concern about the lack of alignment in that the trainings do not count for other requirements.
 - Ms. Gruber stated that this should be addressed when the Commission discusses the permanent rules.
- .0707 Orientation Training
- .0708 Training Approval
- .0709 Documentation of Training
- .0710 Preservice Requirements for Lead Teachers, Teachers and Aides
- .0711 Preservice Requirements for Other Staff

Commission Action: Chairperson Glenda Weinert asked for approval of the Staff Qualifications Section (.0705, .0706, .0707, .0708, .0709, .0710, and .0711) as written. Ms. Gilleland motioned for approval. Mr. Walton seconded. The motion carried unanimously.

- Chairperson Weinert asked how providers will be notified about the new requirements, the deadline for meeting the training requirements, and how Pro-Solutions will be utilized.
- Ms. Gruber stated that the roll-out will be explained at next the meeting.

After the discussion at the First Quarter meeting held on Monday, July 25, DCDEE staff amended the language and presented the changes to the Commission.

Family Child Care Homes (.1701, .1702, .1705, .1730, .1719, .1721, .1726, and .1731);

- .1702 Applications for a License for a Family Child Care Home (Temporary Rule)
- .1705 Health and Training Requirements for Family Child Care Home Operators (Temporary Rule)
- .1730 Activities Involving Water (Temporary Rule)
- .1719 Requirements for a Safe Indoor/Outdoor Environment (Temporary Rule)
- .1721 Requirements for Records (Temporary Rule)
- .1726 Prevention of Shaken Baby Syndrome and Abusive Head Trauma (Temporary Rule)
- .1731 Additional Health and Safety Training Requirements (Temporary Rule)
- Mr. Everhart asked for clarification in the Rules concerning when trainings are “counted” vs. “not counted”.
- Ms. Gruber stated that if the training is taken through the Division’s online class, it will be counted; however, orientation to trainings are not counted according to CCDF regulations. CCDF distinguishes between orientation training and ongoing training.
- Ms. Gruber stated that Division will look for opportunities to align with other requirements/trainings when they develop proposed language for the permanent rule.
- Ms. Lewis stated the Division will clarify what trainings count vs. do not count.

Commission Action: Chairperson Glenda Weinert asked for approval of the Family Child Care Homes section (.1701, .1702, .1705, .1730, .1719, .1721, .1726 and .1731) as written. Rev. McDowell motioned for approval. Ms. Vandevender seconded. The motion carried unanimously.

After the discussion at the First Quarter meeting held on Monday, July 25, Division staff amended the language and the Commission will vote to publish.

0604 Safety Requirements for Child Care Center (.0604 and .0608).

- .0604 Safety Requirements
- .0608 Prevention of Shaken Baby Syndrome and Abusive Head Trauma

Definition of bio-contaminant has not been found. The Division is contacting the federal government to get guidance.

Commission Action: Chairperson Glenda Weinert asked for a vote to publish Safety Requirements for Child Care Center (.0604, .0608) as amended. Ms. Lowrance motioned for approval. Ms. Gayle seconded. The motion carried unanimously.

After the discussion at the First Quarter meeting held on Monday, July 25, Division staff amended the language and the Commission will vote to publish.

Health Standards for Children (.0801)

- .0801 Application for Enrollment

Commission Action: Chairperson Glenda Weinert asked for a vote to publish Health Standards for Children (.0801) as amended. Mr. Everhart motioned for approval. Ms. Vandevender seconded. The motion carried unanimously.

Review of Rules for Family Child Care Homes

- Ms. Gruber reiterated that the language matches Center Rules (that has already been approved) as much as possible.

Break

- 1701-General Provisions Related to Licensure of Homes
- 1707-Building Requirements
- .1708-Pre-Licensing Requirements
 - Ms. Gilleland asked whether the list is comprehensive; Ms. Gruber stated that the Division staff will make sure it is a comprehensive list.
- .1702-Application for a License for a Family Child Care Home
- .1709- Inspections
- .1710-Access to the Family Child Care Home
- .1711-Supervision of Children
- .1712-Written Plan of Care
 - Chairperson Weinert pointed out that language needs to be adjusted for page 13 Paragraph (c) “Children shall not attend classes or medical appointment as described in Paragraph (a) of this Rule.”
- .1713-Emergency Medical Care
- .1714-Emergency Preparedness and Response
- .1719-Requirements for a Safe Indoor/Outdoor Environment
- .1718-Requirements for Daily Operations
- .1720-Medication Requirements
 - Ms. Lowrance suggested that the language “of medication” be added on page 30 line 17 Part (b) the date & Part (c) the time
- .1725-Sanitation Requirements for Family Child Care Homes
- .1706-Nutrition Standards
- .1703-Caregiver Interactions
- .1726-Prevention of Shaken Baby Syndrome and Abusive Head Trauma
- .1722-Prohibited Discipline
- .1727-Discipline Policy
- .1728-Overnight Care
- .1705-Ongoing Requirements for Family Child Care Home Operators
- .1729-Additional Caregiver and Substitute Provider Qualifications
- .1723-Transportation Requirements
- .1724-Safe Sleep Practices
- .1721 Requirements for Records

- Chairperson Weinert stated that administration of medication error and incident log will need to be included in chart on page 59.
- .1730 Activities Involving Water
- .1716 Failure To Maintain Requirements
- Chairperson Weinert recognized the work of the Division staff for revising the language of these rules.
- Chairperson Weinert stated that this group of Rules will be voted on at the next meeting.

Training Discussion

- Chairperson Weinert suggested putting all required trainings on a grid to determine where they overlap, so that economies of scale can be implemented. She is concerned with the costs of all the required trainings, and stated that it is important to be as efficient as possible.
- Ms. Gruber discussed some of the language in the CCDF regulations.
- Chairperson Weinert commented on communication across all child care agencies.
- Ms. Vandevender commented that the requirements state that they want quality, diversity, stability and retention of workforce, but no funds are provided to implement this.
- Chairperson Weinert agreed that the attention to the professional development of the workforce is necessary, but there also needs to be attention to how it is supposed to be funded.
- Ms. Gilleland mentioned universal child care.
- Chairperson Weinert stated that she recognizes that in order for the state to obtain CCDF funds, they need to meet the CCDF requirements; however, the funds do not extend to operations of centers for staff to meet the training requirements.
- Ms. Gruber stated that there are three main areas for which they need direction from the Commission: 1) professional development; 2) pre-service orientation training; 3) ongoing professional development training (perhaps some overlap with professional development).
- Chairperson Weinert proposed that the Division explore different scenarios for the amount of training required for the years following the 24 hours of the initial year.
- Caring for Children initial training is 26 hours of training, which has to be completed in its entirety in order to obtain credit; it cannot be done in sections.
- Ms. Vandevender and Ms. Lowrance asked for clarification of the number of hours guidelines.
- Ms. Lewis stated that according to Caring for Children, there are 30 hours of training required for the first year and 24 hours for the subsequent years.
- Chairperson Weinert discussed the discretion of the agency regarding what to make mandatory after the first year; she does not think a 24 hours of training requirement is sustainable from a time or cost perspective.
- Mr. Walton proposed that the training requirements be determined according to existing education level.
- Ms. Gruber stated that what is required is the initial 30 hours of training and then training of an unspecified amount for every year after to maintain the initial training. There must be some form of Health and Safety training every year.
- Ms. Lewis proposed that there should be different levels of training depending on the stage of professional development.

- Chairperson Weinert stated the importance of balancing meeting the requirements along with meeting the needs of managing the operation. She proposed the course of training would depend on a combination of professional development combined with position and education level.
- Ms. Lowrance stated that clock hours, CEUs, and semester hours need to be clearly distinguished.
- Chairperson Weinert agreed and stated that this is why she requested the grid of trainings.
- Ms. Vandevender commented that many centers do not have professional development built into their budgets. While great strides have been made requiring education and specialization, there has been a lag in funding.

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

12:30 p.m. —Continuation of Family Child Care Home Rules Discussion

- Chairperson Weinert stated the importance of combining trainings with encouraging early childhood education degrees. She proposed incorporating trainings into Community College system.
- Chairperson Weinert proposed a Health and Safety update that would not impose too much on the Child Development training.
- Ms. Gruber summarized the view of Commission as safety training would be uniform but child development would fluctuate depending on the professional development and education level of the individual.
- Ms. Gilleland agreed that it is important to determine the training based on the goals and needs of the teacher.
- Chairperson Weinert wanted to make sure that the requirement of obtaining CEU credits correspond with the required trainings.
- Ms. Gilleland agreed that professional plans should inform training and she referenced the NAEYC accreditation criteria. She is also in agreement with a Health and Safety refresher course.

Reminders:

August 9 Public Hearing 1:00 p.m.
September 12 Rules Review 10:00 a.m.
Email reminders and instructions will be sent.

Chairperson Glenda Weinert adjourned the meeting at 2:23 p.m.

Next meeting, September 26, 2016, 9:00 a.m. - 4:00 p.m.
Special Rules Meeting
Dix Grill
1101 Cafeteria Drive
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Future Meeting Dates:

September 27, 2016-Special Rules Meeting
October 24, 2016-Special Rules Meeting
December 12, 2016-Second Quarter Meeting
December 13, 2016-Special Rules Meeting