

DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF CHILD DEVELOPMENT
NORTH CAROLINA CHILD CARE COMMISSION
2010-11 FOURTH QUARTER MEETING MINUTES

May 25, 2011

Division of Child Development
319 Chapanoke Road, Suite 120
Raleigh, NC
Conference Room 300

Commission Members Present

Margaret Anne Biddle	Laurie Morin
Angela Boyce Davis	Dr. Mary-Cassie Shaw
Connie Harland	Deanne Smith
Julia Baker Jones	Lois Stephenson
Linda Knight	Claire Tate
Lorrie Looper	

Commission Members with an Excused Absence

Magdalena Cruz, Penny Davis, Norma Honeycutt

CALL TO ORDER

Chairperson Claire Tate issued a general welcome, and called the NC Child Care Commission meeting to order at 9:15 a.m. Members of the audience wishing to address the Commission were asked to sign-up for public comment and, if interested, to put their names on the Commission mailing list at the back table. Chairperson Tate also reminded members to complete the appropriate motion form when making motions.

Ms. Tate asked if any members had known conflicts of interest concerning today's agenda items, and none were mentioned. Nicole Wilson called the roll. At this time in the meeting, there is no quorum for decision making. The Commission members who were absent from this meeting all requested, and received, excused absences.

APPROVAL OF MEETING MINUTES – February and March 2010 draft minutes were reviewed by members at this time

Commission Action: *Margaret Anne Biddle moved that the minutes from February's meeting be approved as presented. Lois Stephenson seconded. Chairperson Tate asked if there were any items for discussion. Julia Baker Jones noted the motion to adjourn the February Meeting has a misprint on who made that motion. That information will be changed. Alexi Gruber, Commission Attorney, brought to their attention that Director Cassidy's title is misprinted in one section of the notes. This will be corrected. Chairperson Tate called for a vote. The motion, adding in the changes noted, carried unanimously.*

Commission Action: *Julia Baker Jones moved that the meeting minutes from a March conference call be approved as presented. Lorrie Looper seconded. There being no further discussion, Chairperson Tate called for a vote. The motion carried unanimously.*

DIVISION DIRECTOR'S REPORT – DEB CASSIDY, Director

Dr. Cassidy welcomed the group and shared that she would begin her updates by going over the proposed state budget legislation and the changes it would bring to DCD.

The governor's budget did make cuts across the state. There were cuts in the Subsidy program that cut benefits to parents in post-secondary education from 24 months to 20 months of service while they are in school. That is a \$7 million cut. Funds for transportation and registration fees for all children were also eliminated. The More at Four portion of the day was also cut. At that point, there was also a 5% cut to More at Four (MAF) and Smart Start budget. The House budget proposed those same cuts to Subsidy, but deeper cuts to Smart Start and More at Four. The cut to Smart Start is proposed as 37.6 million (20%) and More at Four took a 20% cut as well. Also, this budget recommends the movement of MAF from the Department of Public Instruction to DCD. The House budget also transferred T.E.A.C.H. from State funding to DCD's federal CCDF grant dollars. That is seen as a cut as well because using those 3.8 million quality dollars for T.E.A.C.H. means they are not available for other programs that we would have funded. At this time, Dr. Cassidy allowed the attorney for the Division and the Commission to proceed with her portion of today's presentation.

Alexi Gruber introduced herself to the group as the newly assigned attorney to the Commission. She went over new pending legislation in regards to the work of the Division. House Bill 737, the criminal record check standards, has been passed in the House (unanimously in the third reading) and has been taken up in the Senate. This bill was drafted to help strengthen the criminal record check statute. There are two statutes, actually, and there were some conflicts between them, so this new bill would help eliminate that confusion, basically getting rid of the one paragraph in G.S. 110.90.2 subsection 8 that talked about a person being automatically disqualified to be a child care provider if they had a history of child abuse, alcohol or drug abuse, etc.. That will now be part of the CRC Statute G.S. 110.90.2. The biggest change made by this legislation is that it requires pre-qualification for all teachers. Before they walk into a classroom they will have to go through the full criminal record check. There will also be a federal check for all providers, no matter how long one has lived in North Carolina. This will be cost neutral because while providers will pay for their federal checks, DCD will now pick up the cost of the local/state checks, and they are essentially the same price. Other changes are clarification of the definition of child care, including religious sponsored childcare, and expanding the definition to include temporary employees and substitutes. Substitutes would also include volunteers and temps who work less than two months. There are a number of crimes currently listed that would automatically disqualify one from being a provider, and a few more have been added to that list including burglary, larceny, robbery under false pretenses, identity theft, riots and civil disorders and cruelty to animals. Also, for those on the Responsible Individuals List kept by the Division of Social Services, substantiations of abuse and neglect would be an automatic disqualification. A copy of this bill and its full text was provided to the Commission members.

Also, regarding Senate Bill 22 - which is now Session Law 2011-13 and was presented to the Commission earlier in the year - this is the law that prevents agencies from adopting rules that result in substantial additional estimated cost. What's different now is that a \$500,000 limit has been added. If a rule has a financial impact of this amount or more on the citizens or businesses of North Carolina, you would have to provide enough justification to let it pass. Exceptions to this are rules that would need to be implemented because of any new state or federal regulations or anything that would need to come about because of a court order.

House Bill 781 - (G.S. 150B-21.4(b1)) This bill proposes to limit rule-making for rules that have a "substantial economic impact" which means an aggregate financial impact on persons affected of at least \$500,000 within a 12-month period. The bill would require an agency to prepare a fiscal note and rule analysis to determine the cost factor for approval by OSBM before publication in the Register. The bill includes certain criteria that an agency must meet when preparing the fiscal note.

HB 595 - This has to do with the Joint Regulatory Reform Committee. This was formed because of the Governor's proclamation about the need to review rules. They have been holding meetings state-wide to get citizen feedback. Essentially, this would continue the process of seeking information and input from citizens about the review of rules.

HB 623 - This one won't affect the Commission directly. If a provider is issued an administrative action, they have the right to appeal that action to the Office of Administrative Hearings. Currently, an administrative law judge would rule on that appeal, and then a final agency decision is to be made. In our case, that decision would be made by Division Director Deb Cassidy. The agency issues the final agency decision, and if the provider was unhappy with that choice, they could then appeal to the State Superior court. This bill, however, would take out the final agency decision maker. When the law judge makes the decision, that would be final,

although either side could appeal to Superior Court. It is scheduled for its third reading today and we know it passed the 2nd reading with a tremendous amount of support.

SB 624 – Modify Hearing and Mailings for Rule-Making. It has passed the first reading and went to committee at the end of April. It's unclear where it will go, but this statute would require newspaper publication of rule-making in every single county that would be affected. It would allow a citizen to say they want to have a public hearing within 60 miles of their home. Chairperson Tate asked if there was any note or availability to use technology for these hearings to reduce travel. Jani Kozlowski said that there is no language about the use of technology for these hearings, but mentioned that there is no rule that Commission members have to be present for these hearings, so staff would be affected for travel. A hearing would not be required each time, but only if they have provided a written request for one within a reasonable amount of time.

Dr. Cassidy returned to resume her portion of the update. The proposed legislation with changes to these early care and education programs would mean that the Division would have a name change, becoming the Division of Child Development and Early Education. There would also be two additional members added to this Commission, one appointed from the House of Representatives and one from the Senate. They would be designated as early childhood education specialists and may not be state employees. Also, they are proposing that the Commission work to increase curriculum standards in 4 and 5 star programs to include early reading. This was discussed in the House in regard to enhancing quality in our state. Also, they would be restricting subsidy dollars to 3, 4 and 5 star programs only, which we supported. There would be exemptions for religious programs. For counties with an inadequate number of 3-5 star programs, a transition period will be established to increase availability of high quality programs. Dr. Cassidy shared information about the changes that would come to our Division to include the More At Four program and the changes to the 5-star license to include a step for "pre-K." Eighty percent of children would have a co-pay, according to the subsidy income guidelines. All the monitoring would take place through DCDEE, and all of these programs that are located in public schools would be required to become licensed by the 2012/2013 school year. Eventually, the General Assembly wants to see these payments made through the SEEK system with a separate market rate for the "prekindergarten" slots.

Changes to Smart Start include a salary cap of state funds, both for NCPC and local partnerships. There would be a total match requirement of 13%, and a list of priorities that the legislature wants to see implemented. These include helping 1 & 2 star programs raise quality and helping 4 & 5 star programs maintain it; implementing prekindergarten programs; providing evidence-based parenting and health programs as well as piloting an evidence-based literacy program. The Legislative Research Commission will evaluate and report on program goals, outcomes and match requirements.

The Senate budget proposal keeps the same provisions as the House budget – including curricula expectations, Commission changes and the new name of DCD. However, they have added that the North Carolina Partnership for Children (NCPC) would be dissolved as of July 1, 2011. Administration and oversight of Smart Start funding and the local Partnerships would become the responsibility of DCD, however no positions would come with this change. More at Four, currently 28 positions, is also transferred to DCD in the Senate version, coming with at most 7 to 8 positions. A few minor changes were made including the addition of allowing funds to be used to support prekindergarten teacher licensure needs and funds to conduct Environment Rating Scales assessment in Pre-K classrooms. Also, the requirement for Early Educator Certification would be eliminated effective July 1, 2011.

We are not sure if the Governor would veto a budget that includes such cuts to early childhood programs or changes to More at Four. We expect it to pass in the Senate by June 1st. The crossover deadline is June 9th, which is an extension of the original date.

The Commission took a 5-minute break.

RULE-MAKING DISCUSSION

Chairperson Tate reconvened the meeting and explained that this portion of the meeting has been set aside to discuss the "See and Hear Rule," explaining a bit of the background. At an earlier meeting, a teacher presented

to the Commission her desire to see the wording of this rule change. She has been denied jobs as a teacher in programs because she is deaf, but feels she is very capable of doing the work. Dr. Rachael Ragin, a consultant for Deaf Education and Audiology with DPI, addressed the Commission. She is deaf and with her cochlear implants she can hear about 95% of what's being said. She has an education background and was a teacher to both hearing children as well as deaf and hard of hearing children. She explained some of her experience with this issue in the field, and her feeling that with the proper supports, a deaf teacher could successfully care for children in a classroom. Jan Withers, Director of the Division of Deaf and Hard of Hearing, also shared that she supports teachers in the early childhood classrooms in our state. Technology is constantly improving, and aids are available to assist these teachers.

Deanne Smith asked if Dr. Ragin was concerned about anyone anywhere not being as successful as she herself has been in this field. Dr. Ragin immediately expressed that she had no concerns about this. Julia Baker Jones asked what the Division's concerns are about safety that we have this rule. Tammy Barnes, Regulatory Section Chief, explained that the concern lies with the age of the children and that it's harder to keep up with a room full of small children as opposed to school-age children. Dr. Ragin said that she was a successful teacher in a pre-school setting as well. Dr. Ragin explained some of the newer technology that's available now for these settings. She said her hearing has never prevented her from doing anything she's ever wanted, including teaching and receiving 4 college degrees, and raising her own children. Laurie Morin asked if Dr. Ragin felt as confident about a deaf person being able to own and run a home child care program when they are the only person in the home during the day. She said that she is just as confident, provided that they have all the skills to be a good teacher.

Commission Action: *Julia Baker Jones moved to modify the language of Rule .0714 (f) to read "and are aware of the safety, status and needs of the children" instead of "see and hear." Laurie Morin provided a second to the motion. Discussion ensued regarding the exact and clear language that could be used to express the intention of the rule. Ms. Jones withdrew her motion at this time, provided that the discussion will come back to the table at the next scheduled meeting. Additional information and research from other states regarding visual and auditory impairment will be provided as well. Dr. Rachael Ragin also agreed to attend the next meeting and come prepared to provide information on what kind of accommodations would need to be made in these classrooms. The motion was tabled at this time.*

Andrea Lewis, Regulatory Services Assistant Section Chief, spoke regarding safety rules pertaining to the disclosure of liability insurance in family child care homes. This would be a new Rule, .1725. She shared that both parents who had previously brought forth concerns about this matter to the Commission were in favor of this proposed text.

Commission Action: *Deanne Smith moved that the proposed language for Rule .1725 be published as written. Lorrie Looper seconded. There being no further discussion, Chairperson Tate called for a vote. The motion carried unanimously.*

The members reviewed the language provided to them for Rule .0604 regarding small appliances.

Commission Action: *Lorrie Looper moved that the proposed language for Rule .0604 (e) be published, adding the term "heating element" in the rule wording. Lois Stephenson provided a second. Discussion continued, and staff helped to provide language as a suggestion with this change. Ms. Looper withdrew her original motion.*

Commission Action: *Lorrie Looper moved that the language for .1719 (10) should match the language of .0604. Second provided by Lois Stephenson. For discussion, Julia Baker Jones confirmed that "preschool" children definition means any child that is below the age for entering kindergarten and does include infant or toddlers. There being no further discussion, Chairperson Tate called for a vote. The motion carried unanimously.*

Commission Action: *After some more discussion, Lorrie Looper made a motion to adjust the language in Rule .0604 (e) to read “For small appliances with heating elements, such as bottle warmers, crock pots, irons, coffee pots, or curling irons, neither the appliance nor the cord, if applicable, shall be accessible to preschool children. Deanne Smith seconded. There being no further discussion, Chairperson Tate called for a vote. The motion carried unanimously.*

Lorie Pugh, Assistant Section Chief in the Regulatory Services Section, shared an update to the federal crib safety requirements. She said that DCD is recommending against new rules because federal rules would cover the changes.

The Commission members took a few moments to plan for an additional summer meeting, choosing August 16 beginning at 9 a.m. at the Division of Child Development.

The Commission took a break for lunch at 12:00 p.m.

PUBLIC COMMENT

Linda Piper with the North Carolina Licensed Child Care Association – She said that the pre-service criminal record check is a good concept, and it makes a lot of sense. Both federal checks and the responsible individuals list are great things. Also, she would like to express that the turn-around time for evaluations has been great, and she hopes that increasing standards won't slow this down any. She also spoke to the rules that were looked at for FCCH's concerning safety, and the fact that there would be a substantial financial impact. If a particular piece of equipment is out of compliance, instead of requiring them to replace it, we could require them to post a notice that something is out of compliance. This would raise awareness and help to bring them up a little more in safety standards.

Kimberly Shaw, a provider in Wake County, said she would like the Commission to think about the community you're serving and that this is not a convenient time for them to make lots of changes. Also, she feels that rule-making discussions should include more input from providers. Regarding the rule changes that deal with cords and electrical appliances, she explained that 5-year-olds need to be able to cook, and since the rule about the cords actually deals with the issue of supervision and not just the appliances, she thinks it should be reviewed again. She operates under best practice with the children in her care, and would like to be able to continue to offer these experiences in a nurturing environment. Regarding certification, they mailed in their applications for certification at the same time. Only portions of them were processed at the beginning, then the rest were taken care of after the date for free processing. She feels that some of these things create unnecessary hardships and costs. Chairperson Tate noted that while we do discuss Certification here, it is the General Assembly who passed the law regarding that program, and the Institute is over that whole program. The Commission or the Division have no authority to make changes with it at this time.

Angela Beacham - She expressed her appreciation for the Commission and the laid back atmosphere that made her feel like she had a part in the discussion and could share her thoughts here. She is from Burgaw, NC and her center is currently pursuing its NAEYC accreditation. Regarding HB 737 with the pre-check requirements, she asked if just the local check needed to be complete before they could work or if the qualifying letter had to be received. Ms. Gruber stated that the letter must be sent first. In regard to Rule .1704 (f), she asked that when the group thinks about their wording, they do not arbitrarily eliminate those with special needs. There are notable special needs in some that can deeply enrich the lives of children.

Ronetta Pearsall – a provider on Brentwood Road in Raleigh from Little Hands and Feet – She said that in asking FCCH providers to publish whether or not they have liability insurance, she would ask that the group consider why we would ask this of them. All of us use businesses all the time and don't ask about what kind of insurance they carry. Also, regarding those who are hearing/sight or physically impaired consider that these people have learned to live their entire life with these impairments, so it's difficult for us who haven't had those disabilities to understand their capabilities. Supervision is hard in and of itself. Finally she shared that on March 16, DCD received a complaint about her program. Holli Britt, an abuse and neglect consultant with the

Division, came to visit. The mother of the child was there. The complaint was found to be unsubstantiated. After learning that this was going to be posted on her facility's page on the DCD website, she contacted Stephanie Pearson, Ms. Britt's supervisor, because she did not want to see this on her page. She shared that Ms. Pearson wrote her a letter explaining that complaint reports are posted to provide transparency to the public. She said she still doesn't feel that unsubstantiated complaints should be posted; they only raise suspicion. Ms. Pearsall had concerns about the entire investigation process including that Ms. Britt went to the facility to investigate the situation when she, Ms. Pearson, was not there. The director does not have to be there at all times, and when the facility is open, the Division is allowed to be there. The staff member who called to notify Ms. Pearsall that Ms. Britt was there asked Ms. Britt to speak to her on the phone before she began her investigation, and she felt that Ms. Britt did not deal with her in a professional manner.

Ms. Jan Guynn, from Easter Seals UPC in Allegheny County and Ms. Dianne Killen from Ashe Developmental Day School, a 40 year old program, came to speak to the rules in Section .2900 – Staff Qualifications for Developmental Day programs. The rules currently say that there must be at least one teacher with a B-K license in the classrooms for pre-school aged children, but they feel that this is an extremely expensive thing for schools to keep up with. They shared a letter they have written to formally present to the Commission. They would like to request a transition period to meet this requirement when children turn from 2 to 3 years old.

Chairperson Tate called the public comment period to a close.

PRESENTATION

Dr. Cassidy gave information about an opportunity with the Federal government called "Race To The Top" with a total of \$500 million that would be divided among those states receiving the award. It is moving quickly and would be sent out by the end of this calendar year.

She also talked about "The Compass," the Division's new e-newsletter sent to providers and partner agencies. We are still collecting email addresses for programs in the state, but when the first issue went out in early May, we had contact emails for 70% of child care providers. DCD is very proud of that.

Another group that has been working at the Division is the Cultural and Linguistic Competence Team that sent out a survey to staff, providers and partners to assess the way DCD is working toward cultural competencies in areas like staffing and dealing with our providers. We have two other projects going on around this issue as well. We are participating with NAEYC on a scale that would help us see what areas we need to work on with providers in their programs. Another funded project that has been ongoing since we had ARRA dollars is a pilot in 4 communities around the state that are doing "little tests of change." They have a group of parents, providers and directors talking about how they can be more culturally sensitive in their programs and communities and then work on changes together. They will come to us when the project is over with suggestions about how we can be more culturally sensitive in our rule language.

RULE-MAKING PETITION

Rose Powers, a citizen who has been in the early childhood field for 15 years, submitted a rule-making petition. She came to ask for an amendment to Rule .0714 (f) which addresses the supervision of children, being able to hear and see them at all times. She explained a situation regarding her grand daughter who was left on a playground when her teachers took the class inside for lunch. She shared a letter that she has written the Commission regarding her petition to make this amendment. This incident happened at a four-star facility in Union County. She is concerned that there was no official corrective action plan put into place after the incident, and would like to see more consistencies across the state when incidents like this happen.

Kimberly Mallady, Licensing Enforcement Section Chief, spoke about the Division's requirements regarding supervision and the statistics about visits and complaints that have been received. Dr. Cassidy asked if this had been a written reprimand. Ms. Mallady explained that it was not accepted by DSS even though it was substantiated as an incident, but no enforcement action was taken. During the visit, we found that there was a lot of corrective action that had been taken by the facility on its own. She shared what the program had done, and explained that this took care of everything we would have proposed in an official corrective action plan, so nothing further was issued from the Division. Lots of things are taken into consideration including previous incidents as well as what kind of things the facility is doing to prevent the incident from happening again. All complaint visits are unannounced.

The Commission has to make an official response to the petition within 120 days. They did not receive the letter until February 10th of this year. After some discussion about the issue and the situation regarding Ms. Powers's concerns, there was agreement that the Commission would need more time to consider any language change to the rule, and plan to discuss this more at the August 16, 2011 meeting. Attorney Alexi Gruber explained that a response is required within 120 days from receipt of the petition.

Commission Action: *Laurie Morin made the motion that the Commission deny the petition at this time with the understanding that it will be discussed more at the next Commission meeting. Julia Baker Jones seconded. There being no further discussion, Chairperson Tate called for a vote. The motion carried unanimously.*

RULE-MAKING DISCUSSION – Nutrition Report

A power point from Ms. Alice Lenihan's presentation at the February meeting was handed out for additional review. DPH held listening sessions across the state regarding health and nutrition for children in care. Deanne Smith talked about the session she attended, and explained that even though the changes might seem too hard to achieve, in reality these are easy changes to make and she has seen some really great success in her community. The first set of nutrition standard recommendations, Phase I, are expected to be cost neutral for child care facilities and require minimal training for implementation.

Phase I:

- Prohibit the serving of sweetened beverages, other than 100% fruit juice, to children of any age
- Prohibit the serving of more than six ounces of juice per day to children of any age
- Prohibit the serving of juice from a bottle
- Prohibit the serving of flavored milk to children of any age
- Create an exception from the rules for parents of children who have medical needs, special diets or food allergies

The Commission was instructed to consider changes in rules related to nutrition in legislation last year. DPH worked on studying the topic, so DCD waited for their study to be complete before working with the Commission on drafting rule language for their consideration.

Commission Action: *Lois Stephenson made the motion that the Division of Child Development staff use the recommendations from Phase I to draft rule language for the Commission's consideration. Dr. Mary-Cassie Shaw seconded. There being no further discussion, Chairperson Tate called for a vote. The motion carried unanimously.*

At this time, we will wait on the recommendations in Phase II. More reporting will come through before this happens.

The Commission took a brief break at this time.

Chairperson Tate called the meeting to order and she guided the discussion of rule-making further.

Rule text has been published as well as gone through the public comment period. The Commission discussed the rules and made the following decisions.

Commission Action: *Julia Jones moved that the changes in Rule .0302 (g) and (h)*

be adopted and submitted to the RRC for approval. Margaret Anne Biddle seconded. There being no further discussion, Chairperson Tate called for a vote. The motion carried unanimously.

Commission Action: Julia Jones moved that the changes in Rule .1702 (g) and (h) be adopted and submitted to the RRC for approval. Deanne Smith seconded. There being no further discussion, Chairperson Tate called for a vote. The motion carried unanimously.

Commission Action: Lorrie Looper moved that the changes in Rule .2101 be adopted and submitted to the RRC for approval. Julia Baker Jones seconded. There being no further discussion, Chairperson Tate called for a vote. The motion carried unanimously.

QRIS Advisory Recommendations

Dr. Cassidy provided a hand-out regarding some low cost/no cost recommendations that the QRIS Advisory Committee has been working on, including some rule change recommendations that would need to be made for each one. The group went through the hand-out to review the notes and recommendations.

The Commission asked that staff begin to draft language for the recommendation that rules be in place to prohibit the use of a cell phone while driving children in care, which would be an addition to Rule .1003 (Safe Procedures) and .1723 (Transportation Requirements for Family Child Care Home Operators).

Regarding a recommendation requiring ITS-SIDS training as a pre-service requirement, the Commission asked that staff include language for these rules to be combined with other pre-service recommendations as one rule packet.

Concerning lowering ratios, it was suggested that though the entire QRIS Advisory Committee felt strongly about this recommendation, more information about the impact on programs, knowing it will be financial, would be helpful before pursuing rule change in this area. Since there are some other changes in process, including ECERS being revised, changes in Subsidy because of the state budget proposals, etc., they feel it would be best to wait on this for now.

In considering mixed-aged groupings, Laura Hewitt explained that there are recommendations to change the breadth of range of ages of children that could be grouped together. More information is needed to pursue this.

Some changes are already being pursued in regards to strengthening staff/child interactions, as well as minimum standards for family engagement and communication efforts, but there needs to be some clear distinctions between what would be rule items and what would be more of a training focus.

The Education and Professional Development sub group of the QRIS Advisory Committee provided a few recommendations as well. First and foremost would be a requirement that staff complete a standardized professional development plan, which would be created by the Division. Second would be the development of standardized orientation content with online accessibility for new teachers. Melissa Stevenson shared a quick overview of the State of Florida's pre-service and orientation requirements.

Finally, recommendations that would need to be implemented by the higher education system are the requiring of system-wide early childhood education articulation agreements, and the encouragement of a Master's Degree in Early Childhood Leadership & Management.

Dr. Cassidy then shared some language related to the Child Care Commission in the currently proposed Special Provisions from the House and senate Budget bills. These include: 1) adopting rules for programmatic standards for the regulation of pre-kindergarten classrooms (More at Four classrooms), 2) two additional commission members who would be “early childhood specialists,” and 3) additional curricula that is used in pre-kindergarten classrooms shall also be taught in four and five star programs, and must include a component in early reading. The Commission requested additional information and updates from the Division as this budget and these recommendations work their way through the legislature, as well as information from Division staff so that when rule-making begins, they feel more educated on these topics.

Early Educator Certification Rule-Making Discussion

Chairperson Tate explained that the plan was to discuss rule-making to provide equivalency guidelines related to certification levels. There is, however, a push in legislation to remove the requirement for Certification beginning July 1st. Ms. Stephenson and Ms. Looper said they do not feel it would be beneficial to adopt rules if the requirement for Certification is removed. Ms. Jones asked that based on the huge volume of comments that the Commission received, if we chose not to do any equivalency rule-making on certification, how would that affect the enforcement of the law itself? If it's not in our rules now, how is it enforced? Tammy Barnes explained that having the rules in place to support the law would improve efficiencies with staff who are having to use two systems for the information. The goal is to simplify the process of the enforcement. The Division would still have to pursue action because Certification is in law, regardless of it not being in rule yet. Ms. Stephenson asked if rule-making on this topic would improve the process of evaluation between agencies since there are major delays being experienced. Dr. Cassidy explained that that's part of the whole plan and process, to have on portal of entry for providers. There are over 16,000 that have been certified, and about 50,000 that are on the list to be certified. Our staff are being liberal in enforcement right now because they are waiting on the Institute to catch up some from the influx of certification applications. There are still several concerns from providers in the field, as well as among the Commission, about the system of Certification itself, so at this time, no rule language is to be pursued until more information can be provided.

Commission Action: *Angela Boyce Davis moved that the meeting be adjourned. Julia Baker Jones seconded. There being no further discussion, Chairperson Tate called for a vote. The motion carried unanimously.*

There being no further business, the meeting adjourned at 5:00 p.m.

The next meeting of the North Carolina Child Care Commission is scheduled for Tuesday, August 16, 2011.