

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

NORTH CAROLINA CHILD CARE COMMISSION

**Third Quarter Meeting
Monday, February 11, 2019**

Dix Café
1101 Cafeteria Drive
Employee Center
Raleigh, NC 27603

Commission Members Present

Zac Everhart, Chairperson
Melissa Burroughs
J. Lanier DeGrella
Melanie Gayle
Beth Messersmith
Brooke King
Kimberly J. McClure

Rhonda Rivers, Vice Chairperson
Charles F. McDowell, III
Elizabeth Gilleland
Amelie Schoel
William Walton, III
Glenda Weinert
Nina Whitley-Artis

Commission Members with an Excused Absence

Susan Butler-Staub
Sharon Foster

Mitchell Gold

Division of Child Development & Early Education Staff Present

Anna Carter, Director
Kristi Snuggs, Deputy Director
Heather Laffler, Administration/Policy
Dedra Alston, Administration/Policy
Rachel Kaplan, Administration/Policy

Lorena Gonzalez, Early Education
Melissa Stevenson, Regulatory Services
Lorie Pugh, Regulatory Services
Alison Keisler, Regulatory Services
Branda Watford, Administration/Policy

Attorney General's Office Staff

John Green, Commission Attorney

Alexi Gruber, DCDEE Attorney

Welcome

Chairperson Zac Everhart called the meeting to order at **9:05 a.m.** and reviewed housekeeping items.

Roll Call

Chairperson Everhart read the conflicts of interest statement and asked whether there were any member conflicts noted for today. Chairperson Everhart expressed thanks to Dr. Glenda Weinert for her time as Chairperson and a job well done. Ms. Dedra Alston conducted roll call. Chairperson Everhart noted that Ms. Susan Butler-Staub, Dr. Sharon Foster and Mr. Mitchell Gold had excused absences. Chairperson Everhart reviewed the agenda and discussed the materials.

Approval May 14, 2018 Special Rules Meeting Minutes

Commission Action: Chairperson Everhart asked for approval of the November 5, 2018 Second Quarter Meeting Minutes. Dr. Elizabeth Gilleland motioned for approval. Ms. Amelie Schoel seconded. The motion carried unanimously.

Meeting Dates for 2019

May 6, 2019 September 23, 2019 December 9, 2019

Director's Report—Anna Carter

Publication of NIEER Barriers to Expansion of NC Pre-K Report

Report published, written by National Institute for Early Education Research (NIEER) with funding from PNC Financial Services, SAS Institute and the NC Business Roundtable.

Findings of the report were that:

- Significant number of children are eligible but unserved by NC Pre-K
- County ‘wait lists’ are not an accurate measure of need
- The fundamental barrier to expansion of the NC Pre-K program is inadequate funding to cover costs

NIEER Suggestions for action:

- Develop program service level targets for expansion to reach 75% of eligible children statewide
- Offer financial incentives for participation (site hosting) to private providers
- Increase NC Pre-K reimbursement rates for site hosts
- Increase teacher pay for staff in private sites to achieve parity with public school staff
- Increase funding to cover local administrative costs
- More effectively leverage child care subsidy funding
- Explore utilization of public school funding formula

Ms. Schoel asked whether the NIEER report only looked at North Carolina, and what the driving force was behind the creation of the report? Ms. Carter answered that NIEER did only evaluate North Carolina's Pre-K program, and the impetus for the report was that the business community asked questions about the program and reached out to DCDEE for data. SAS Institute primarily commissioned the report.

Birth – 3rd Grade Interagency Council

The Birth-3rd Grade Interagency Council was legislatively created with a charge to establish a vision and accountability for a birth through grade three system of early education. The Council's work was prioritized work to three areas: Data-driven improvement and outcomes, Teacher and administrator preparation and effectiveness and Transitions and continuity. The next meeting of the Council is March 27th.

Pre-K to Kindergarten Transition Activities

As part of a legislatively required budget Special Provision – and work of the B-3 Interagency Council, DCDEE has been undertaking a project creating and standardizing the transition of students from pre-school to kindergarten. With this current school year Division staff and partners have begun Phase II of the transition pilot with 16 additional counties (added to the 3 counties that were initially involved). The pilot program is working with three NC Pre-K Classrooms in each county including at least one private, public school and Head Start site.

Staff involved in the pilot project conducted regional information and discussion meetings in Buncombe County – January 22, 2019, Nash/Edgecombe County – January 31, 2019, Onslow County – February 6, 2019 and Guilford County – February 20, 2019. Involved counties and staff will be working together to pilot a Child Development Information Form and Family Engagement Strategies and working with local NC Pre-K Advisory Committees to create, implement and build upon existing community transition plans. These plans will focus on a priority of developing strategies to effectively and reliably share child specific data from Pre-K to kindergarten at the local level.

Ms. Schoel asked if there is a compilation of lessons learned so far from the pilot? Dr. Kristi Snuggs stated that one priority has been and continues to be the importance of developing family engagement strategies; a second priority is providing opportunities for Pre-K and Kindergarten teachers to work together; and lastly, a priority is figuring out how to share information locally using existing community transition plans. Ms. Carter stated that the Division would be happy to share more information about the pilot at a future meeting.

Separate Birth-Two Years Star Rated License Legislative Report

A ‘Separate Birth-Two Years Star Rated License’ legislative report was required by state budget special provision in Session Law 2018-5, Section 11B.2.(b). This report was submitted November 28, 2018 with five primary recommendations:

- Increase minimum educational requirements for child care lead teachers to a minimum of Infant Toddler Certificate or Preschool Certificate by January 1, 2021.
- Direct DCDEE to develop and implement a program beginning no later than January 1, 2020, to incentivize higher education and staff compensation by providing subsidy payments to child care programs that utilize a salary scale and employ lead teachers with an Associates of Applied Science (AAS) degree in Early Childhood Education.
- Provide targeted technical assistance and professional development on developmental screening and formative assessment tools.
- Direct DCDEE to conduct a feasibility & cost study for the development of a pilot program modeled after NC Pre-K for birth through age 3 classrooms.
- Amend current NCGS §110-106 to ensure that all programs meet minimum requirements related to teacher qualifications, activities for children, and prohibition of corporal punishment.

Preschool Development Grant (PDG)

The PDG is a federal grant which was made available to all states and territories. These grants were awarded December 31, 2018, and NC received \$4.5M for 12 months' activities. Within the grant there are five required activities that must be completed for award of funds. The five required activities are to complete: needs assessment, strategic plan, family engagement plan/activities, a plan to advance local best practices, and to create an action plan for quality improvement activities. DCDEE and partners are currently establishing contracts and staffing for activities within NC's Preschool Development Grant.

2020 Workforce Study

A child care workforce study is currently underway which will be completed by 2020 and will provide county level data for child care centers and regional data for family child care homes. The study's activities are planned to begin later this month (February) and analysis is scheduled to conclude, with a report issued, in 2020.

Update on Lead Report from November Meeting

On February 6, 2019 proposed rule language to require water at licensed child care centers to be tested for lead was introduced to the Commission for Public Health. Following this introduction, the Commission for Public Health has begun the rule-making process by agreeing conceptually to the submission of the proposal. During the next three-month period, final language for the rule will be developed, along with a fiscal note approved by the State Office of Budget and Management. Stakeholders will be involved with the development of the final language, which is expected to involve generally minor adjustments to draft that was shared.

Ms. Beth Messersmith asked about the typical timeline for rule implementation? Ms. Carter replied that the process usually takes 12-18 months.

Criminal Background Check (CBC) Rule Change–Provisional Status for Child Care Staff

Regulatory rule change regarding requirements for CBC took effect January 1, 2019 allowing some child care providers who have lived outside NC within the past 5 years to work in child care 'provisionally' prior to full completion of their criminal background check. Changes to Rule .2702-.2703 include: Definition of a provisional child care provider, criteria outlining in what capacity the provisional child care provider may serve, timeframe of provisional CBC status. Child care staff who are concerned that this issue may affect them - have or do live outside NC – should work directly with the DCDEE CBC Unit.

Additional Rule Changes

- Administrative Action rules took effect February 1, 2019
- March 1 – Rated License and Minimum Standards changes go into effect
- Training modules related to both changes for CBC and Administrative Actions are available at DCDEE web site through Moodle online training tool

Ms. Carter shared a special thanks to Ms. Dedra Alston for her amazing work during the recent period of rulemaking for the Child Care Commission. Ms. Schoel asked when the complete rules review and revision process will occur again? Mr. John Green answered that it will be 8 years from the projected adoption date, around 2028.

Child Care Subsidy Assistance Update

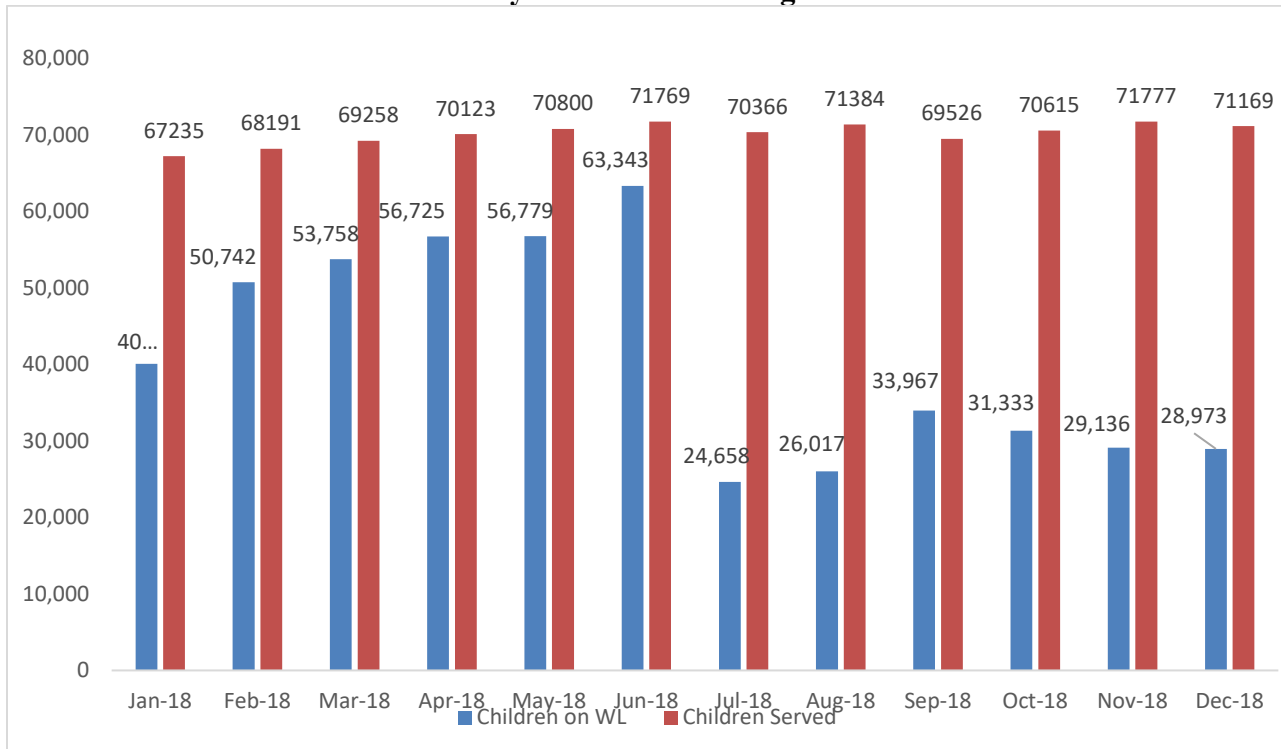
Child care subsidy assistance county market rates were increased as of October 1, 2018. Additionally, 3 revised subsidy rules went into effect November 1, 2018. Those rules involve changes to: 10A NCAC 10 .0309 – Correction of Overpayments and Underpayments, 10A NCAC 10 .0313 – Termination of Approval Based Upon an Administrative Action Against Operator, 10A NCAC 10 .0602 – Participation in the Subsidized Child Care Assistance Program. Training modules related to child care subsidy assistance rule changes are available at the DCDEE web site through Moodle online training tool.

Provider Compliance Visits

Month	Referral Visits	Random Visits	CAP's issued	Total Visits
October	3	32	1	35
November	7	32	3	39
December	5	32	3	37

Chairperson Everhart asked whether correction action plans (CAPs above) were the result of random visits or referral visits? Ms. Carter stated that each month 1 CAP resulted from a random visit, the rest were from referrals.

Children Paid for Child Care Subsidy and on the Waiting List



Mr. Walton asked whether there is data detailing the age breakdown of the children on the waiting list? Ms. Carter replied that DCDEE does have this information, and the waiting list is more heavily populated by infants/toddlers. Mr. Walton suggested that efforts to be made to take younger children off the waiting list. Ms. Carter stated that this is also a recommendation of Think Babies, to implement a more proportional pull of children in all age ranges from county waiting lists.

Ms. Carter stated this concern and other questions are planned to be addressed through the Needs Assessment that is being completed through the PDG. Ms. Carter also referred members to the report of child care deserts in the state, which shows that 99/100 counties are classified as ‘child care deserts.’ DCDEE will provide the link to this report to the Commission, which is <https://www.americanprogress.org/issues/early-childhood/reports/2018/12/06/461643/americas-child-care-deserts-2018/>

Child Care Staff Online Transcript Submission

Electronic transcripts documenting educational achievement for child care workers will be able to be submitted electronically to DCDEE beginning in March. Details regarding this activity and the process for submission will be shared as soon as this information is available.

General Assembly in Session

Legislators for the current General Assembly session were sworn in Wednesday, January 9, 2019. The first actual legislative work session was Thursday, January 31, 2019, and so far 1 bill has been introduced with potential impact to DCDEE: HB 14 (filed but not introduced) Reconstitute Various Boards & Commissions. This bill is the same as Governor Cooper’s previous Executive Order which re-constituted the Child Care Commission. Crossover deadline for legislation is Thursday, May 9

DCDEE Move to 333 Six Forks Road

Raleigh main office staff moved from Dix Campus, McBryde Building, to Six Forks Road and were officially relocated on January 28. DCDEE’s new address is 333 Six Forks Road, Raleigh, 27609 and the main phone # is 919-814-6300. All staff email addresses will remain the same, and all phone numbers – except for the toll-free number – have changed. DCDEE’s new building is primarily occupied by DCDEE, with a small number of NC Medicaid and Department of Justice Medicaid hearing staff on first floor, and a private mortgage company. Future meetings of the Child Care Commission will be held at the new location once construction on a newly created large conference room is complete.

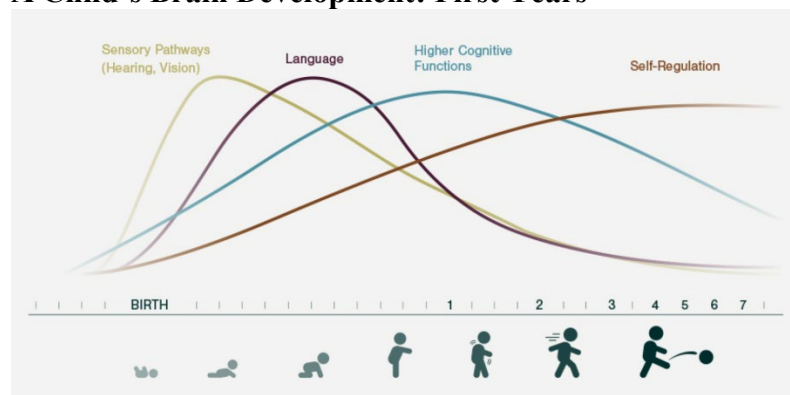
Ms. Carter noted a special thank you to licensing staff because she has been receiving emails from providers in the field about how helpful the licensing staff has been of late. Ms. Schoel mentioned that during the federal government shutdown, updates were issued about potential impacts. She asked about additional updates if there is another shutdown? Ms. Carter stated that Child Care Subsidy Assistance and TANF benefits would not be affected in the event of an additional budget impasse, because the funds for these programs have already been set aside until June.

Vice Chairperson Rhonda Rivers thanked Ms. Carter for such a comprehensive and exciting report.

Break at 10:36 a.m., meeting reconvened at 10:47 a.m.

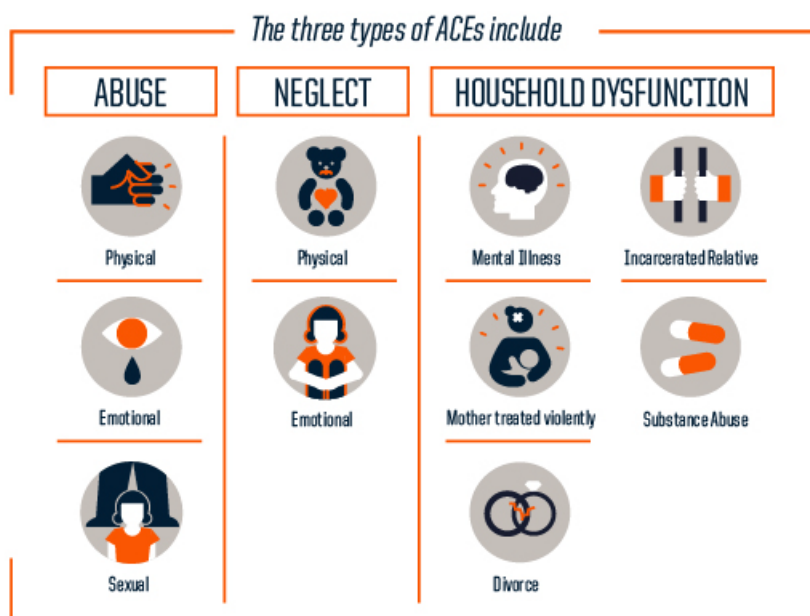
Early Childhood Action Plan (ECAP)—Rebecca Planchard, DHHS Senior Early Childhood Policy Advisor

A Child's Brain Development: First Years



The Y axis on this visual shows the intensity and distribution of the creation of neural synapses or brain development, and the X axis shows how much development happens within the first years of life. Language development flourishes in the first year and then tapers off. For example, it's much harder to learn a new language later in life, because language related neural connections are and have been pruned away if not regularly used. However, fundamental skills for self-regulation are consistently built up over life years.

Adverse Childhood Experiences (ACEs)



As the brain develops so rapidly in early years, the impact of Adverse Childhood Experiences, or ACEs during that same time period can also make lifelong imprints in the chemical structure of the brain. This visual shows types of ACEs that impact young children.

Our Early Childhood Lens – For the statewide definition for the early childhood action plan, early childhood is defined as 0 – age 8, which is typically through third grade. Third grade is often

considered an important time marker in terms of early literacy and its correlation with future outcomes for a child. The 0-8 definition of age includes all aspects of a child's life, including their overall health, wellbeing, safety, and early learning outcomes for young children.

NC's Challenges Regarding Young Children

NC experiences disparities in infant mortality, with African American births experiencing 2.5x the infant mortality rate of Caucasian births. Also, 1 in 5 NC children face food insecurity, making NC one of the bottom 10 states in the nation for this statistic. Half of NC children ages 6 – 8 in foster care will have spent over 980 days in the system before they are adopted, and in 2017, only 39% of NC 4th graders read 'proficiently.'

What is the NC Early Childhood Action Plan?

- Focuses on families and children ages 0 – 8
- DHHS was directed in an Executive Order by Governor Cooper to draft an action plan supporting children ages 0-8 across NC in collaboration with the Early Childhood Advisory Council
- Early childhood is one of NC DHHS' top priority action areas, and the Department has been working on creating the foundation of an action plan since October 2017
- The ECAP builds on the Department's foundation for early childhood leadership to 'Align & Amplify' activities
- Framework of the plan includes progress towards goals, actions, strategies, metrics, targets, commitments, goals, vision, guiding principles

By 2025, all North Carolina young children from birth to age eight will be:

- 1) Healthy: Children are healthy at birth and thrive in environments that support their optimal health and well-being, resulting in:
 - Healthy babies
 - Access to preventive health services
 - Food security
- 2) Safe and Nurtured: Children grow confident, resilient and independent in safe, stable and nurturing families, schools and communities, and are provided with:
 - Safe and secure housing
 - Safe and nurturing relationships
 - Family stability for children in foster care
 - Social emotional well-being and resilience
- 3) Learning and Ready to Succeed: Children experience the conditions they need to build strong brain architecture and school readiness skills that support their success in school and life, with:
 - Access to high quality early learning programs
 - Quality early development activities
 - Later reading proficiency

High-Level Recommended Strategies

1. Build and Sustain Strong Relationships Between Young Children and their Families
2. Promote Supportive, Productive, and Equitable Early Learning Environments

3. Support the Preparation, Compensation, and Retention of the Early Care and Learning, and Early Elementary Education Workforce
4. Make Early Care and Learning Programs More Accessible for Vulnerable Families
5. Integrate the Support of Children’s Social-Emotional Development into Early Childhood Services
6. Improve Economic Opportunities for All Families with Young Children
7. Prioritize Racial Equity, Cultural Competence, and Family Engagement in Child and Family Systems
8. Increase Access to High Quality Health Care for Vulnerable Young Children and their Families
9. Promote Healthy Behaviors
10. Facilitate Data-Sharing and Collaboration to Support Data-Informed Decision-Making

The NC Early Childhood Action Plan is a part of work in conjunction with Medicaid transformation, action toward improving and expanding NC Pre-K and working with the business community, re-evaluating the Read to Achieve program, improving child welfare programs and falls in line with the Governor’s recent Executive Order requiring greater accommodation for pregnant State employees.

Early Childhood Summit on February 27 will kick start ECAP roll out activities.

Dr. Lanier DeGrella expressed excitement about the ECAP and the organizing framework that has never existed before surrounding all of these goals. Dr. DeGrella also suggested looking at different outcomes for specific different populations based upon their needs.

Rulemaking Activities

Countable Credit for Technical Assistance - Rules .1103, .1106, .1703 (May Vote to Publish)

10A NCAC 09 .1103 On-going Training and Professional Development

10A NCAC 09 .1106 Documentation of On-going Training and Professional Development

10A NCAC 09 .1703 On-going Requirements for Family Child Care Home Operators

Vice Chairperson Rivers reviewed the changes proposed to the Rules.

Ms. Schoel asked for a definition of “cycle of observation” (.1103(g)(1) line 19). “For purpose of this Section, “countable technical assistance” means technical assistance provided to administrative or caregiving staff members at a child care center by a person who has been endorsed by the NC Institute for Child Development Professionals as a technical assistance provider and shall include: (1) a cycle of observation;”

Ms. Schoel and Dr. Weinert raised the issue of specifically naming the *NC Institute for Child Development Professionals* (.1103(g) line 18 and .1106(b) line 12) as the group that must endorse approved technical assistance providers and whether it is appropriate that this is the only avenue for endorsement? Mr. Billy Walton asked for more information about the NC Institute for Child Development Professionals and that organization? Ms. Carter stated it the group consists of a voluntary board that sets a standard for technical assistance and professional development across the State related to child care.

Per the group's own information, "The mission of the Institute is to promote the implementation of a comprehensive professional development and recognition system that links education and compensation for the child care workforce to ensure high quality care and education services for children and families." <http://ncicdp.org/about-us/>

Mr. John Green stated that if "cycle of observation" is an ambiguous term, it needs to be defined or changed. He also affirmed that the language stating the specific organization of the *NC Institute for Child Development Professionals* needs to be written in such a way that it does not read as if one organization has a monopoly. Vice Chairperson Rivers stated that the professional development sub-group will revisit the language and present revised language at the next meeting.

Rulemaking Petition Update

At the November 5th Second Quarter meeting, two petitions were presented.

Little Town Learning Center, Angela Beacham - Owner

- Ms. Beacham presented again the issue that she brought before the Commission in May 2017. She is requesting that for centers operating for 12 months (year round), during the 2 additional months of operation outside of the funded Developmental Day program, that 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 outside of the purview of the 185 days of the school year as defined by the State Board of Education, and providers do not receive any Developmental Day program funding during those months. She is unable to afford to continue to provide the 1:6 ratio without the funding for those two months.

Mr. Green explained the rule-making petition process to the Commission. The commission has three choices regarding the petition: deny, grant without statement or grant with statement. Voting yes to either the second or third option, does not make the petition a rule, it merely starts the process, the next step of which is publishing and accepting public comment about the petition.

Chairperson Everhart asked for a motion for the petition.

Commission Action: Mr. Walton proposed to grant the petition without statement. Rev. Charles McDowell seconded the motion, which carried unanimously.

Ms. Melanie Gayle and Ms. Brooke King recused themselves from the vote due to conflicts of interest.

The Enola Group Early Head Start and Early Learning Centers

- Petition to revise child care rule .0713 Staff/Child Ratios for Centers, which became effective September 1, 2018. The Enola Group Early Head Start and Early Learning Centers would like to add the following to the existing: group of children 0-3 years will have a child/staff ratio of 1:4 and a maximum group size of 8.

Chairperson Everhart asked for a motion for the petition.

Commission Action: Ms. Schoel proposed to grant the petition without statement. Dr. DeGrella seconded the motion, which carried unanimously.

Current Discussion and Action:

Ms. Dedra Alston stated that the fiscal notes for these rule-making petitions are being developed; when those are complete they will be presented to the Commission for a vote to publish.

Lunch break at 11:49 p.m., meeting reconvened at 12:30 p.m.

12:30 p.m. Public Comment

Missy McClure—Montessori Association of North Carolina

Ms. McClure introduced the organization of Montessori teachers, administrators, parents, staff, alumni and friends of Montessori education, who aspire to be a collaborative voice for advocacy, and who support high quality Montessori education for the children and families of North Carolina.
<http://www.montessoriassociationofnc.org/>

Curtis Carter—Early Child Professionals in Gaston County

Mr. Carter expressed concern with the Commission's decision to pass a rule that does not allow infants and toddlers to be mixed in the same classroom. He claims that centers are considering closing infant care classrooms because of this rule. Furthermore, he requested that a discussion of NC Pre-K funding for private sites be put on the agenda for the next Commission meeting.

Will Deter—YMCA of WNC

Mr. Deter stated that he has recognized that there has been a lot of discussion surrounding quality improvement initiatives, but he wants to move the focus back to the need for funding for current workforce development before implementing and requiring new quality standards.

Dr. Weinert and Mr. Walton confirmed their agreement with Mr. Deter's sentiments about the funding structure not being in place to fund additional quality improvements on top of existing requirements. Ms. Carter noted to the Commission that the General Assembly allocated \$18 million in additional funds last year for NC Pre-K to serve more children and reiterated the NIEER recommendations that the state and program need money to fund infrastructure in order to effectively serve more children. Ms. Schoel asked about inviting legislators to come speak with the Commission about this issue? Ms. Carter stated that the legislators are invited to the Early Childhood Summit on February 27, 2019.

At this point a larger discussion ensued about effective ways to communicate the needs of stakeholders to legislators

Chairperson Everhart adjourned the meeting at 1:00 p.m.

**The next meeting of the North Carolina Child Care Commission is scheduled for
May 6, 2019 9:00 a.m.-3:00 p.m. (Fourth Quarter Meeting)**

Future Meeting Dates:

May 6, 2019 –

September 23, 2019 –

December 9, 2019 –

Fourth Quarter Meeting

First Quarter Meeting

Second Quarter Meeting