

1 **SECTION .0100 DEFINITIONS**

2
3 **10A NCAC 09 .0102 is amended as published in 39:15 NCR 999-1003 as follows:**

4
5 **10A NCAC 09 .0102 DEFINITIONS**

6 The terms and phrases used in this Chapter are defined as follows:

- 7 (1) "Activity area" means a space that is accessible to children and where related equipment and
8 materials are kept in accordance with G.S. 110-91(12).
- 9 ~~(1)~~ (2) "Administrative work experience" shall mean verifiable experience in completing administrative
10 duties such as planning, implementation and oversight for operational and personnel systems in a
11 licensed child care arrangement or a child care arrangement not required to be licensed as identified
12 in G.S. 110-86(2).
- 13 ~~(2)~~ (3) "Agency" as used in this Chapter means Division of Child Development and Early Education,
14 Department of Health and Human Services located at 333 Six Forks Road, Raleigh, North Carolina
15 27609.
- 16 ~~(3)~~ (4) "Appellant" means the person or persons who request a contested case hearing.
- 17 ~~(4)~~ (5) "Asbestos hazard" means a condition that results in an exposure to asbestos in excess of the
18 standards set forth in 10A NCAC 41C .0607(a) or a category of asbestos containing material defined
19 at 40 C.F.R. 763.88(b)(1)-(6).
- 20 ~~(5)~~ (6) "Basic School-Age Care" training (BSAC training) means the training on the elements of quality
21 afterschool care for school-age children, developed by the North Carolina State University
22 Department of 4-H Youth Development and subsequently revised by the North Carolina School-age
23 Quality Improvement Project.
- 24 ~~(6)~~ (7) "Biocontaminant" means blood, bodily fluids, or excretions that may spread infectious disease.
- 25 ~~(7)~~ (8) "Centers Located In a Residence" means a child care center located in a residence where, at any one
26 time, more than two children, but less than 15 children, receive child care.
- 27 ~~(8)~~ (9) "Child Care Center" means an arrangement where, at any one time, there are three or more
28 preschool-age children or nine or more school-age children receiving child care. This does not
29 include arrangements described in Item ~~(4)~~22 of this Rule regarding Family Child Care Homes.
- 30 ~~(9)~~ (10) "Child Care Facility" means child care centers, family child care homes, and any other child care
31 arrangement not excluded by G.S. 110-86(2) that provides child care, regardless of the time of day,
32 wherever operated, and whether or not operated for profit.
- 33 ~~(10)~~ (11) "Child care provider" as defined by G.S. 110-90.2(a)(2) includes the following employees who have
34 contact with the children in a child care program:
- 35 (a) facility directors;
- 36 (b) child care administrative staff;
- 37 (c) teachers;
- 38 (d) teachers' aides;
- 39 (e) substitute providers;

- (f) uncompensated providers;
- (g) cooks;
- (h) maintenance personnel; and
- (i) drivers.

~~(11)~~(12) “Child Development Associate Credential” means the national early childhood credential administered by the Council for Early Childhood Professional Recognition.

~~(12)~~(13) “Curriculum” means a curriculum that has been approved as set forth in these Rules by the NC Child Care Commission as comprehensive, evidenced-based, and with a reading and literacy component.

~~(13)~~(14) “Developmentally appropriate” means suitable to the chronological age range and developmental characteristics of a specific group of children.

~~(14)~~(15) “Division” means the Division of Child Development and Early Education within the Department of Health and Human Services.

~~(15)~~(16) “Domains” means the developmental areas of learning described in the North Carolina Foundations for Early Learning and Development © 2013, available on the Division’s website at https://ncchildcare.nc.gov/providers/pv_foundations.asp. This instrument is incorporated by reference and does not include subsequent editions. The domains address children’s emotional and social development, health and physical development, approaches to play and learning, language development, and communication and cognitive development.

~~(16)~~(17) “Drop-in care” means a child care arrangement where children attend on an intermittent, unscheduled basis.

~~(17)~~(18) “Early Childhood Environment Rating Scale – Third Edition” ~~“Early Childhood Environment Rating Scale Revised Edition”~~ (Harms, Clifford, and Cryer, ~~2005~~ 2014, published by Teachers College Press, New York, NY) is the instrument used to evaluate the quality of care received by a group of children in a child care center using the program assessment licensure pathway. ~~center, when the majority of the children in the group are two and a half years old through five years old, to achieve three or more points for the program standards of a rated license.~~ This instrument is incorporated by reference and does not include subsequent editions. A copy of the scale is available for purchase on the Teachers College Press website at https://www.tcpres.com/search?search_term=assessment+materials. The cost of this scale is ~~twenty five~~ twenty-eight dollars and ninety-five cents (~~\$25.95~~ 28.95). A copy of this instrument is on file at the Division at the address given in Item (23) of this Rule and is available for public inspection during regular business hours. For the purposes of this Rule, “regular business hours” for the Division means 8 a.m. to 5 p.m. during weekdays, excluding state holidays.

~~(18)~~(19) “Early childhood education work experience” shall mean verifiable caregiving experience with children ages birth through five years of age in licensed child care arrangements or child care arrangements not required to be licensed as identified in G.S. 110-86(2).

(19)(20) "Experience working with school-age children" means working with school-age children as a child care administrator, program coordinator, group leader, assistant group leader, lead teacher, teacher or aide.

(20)(21) ~~"Family Child Care Environment Rating Scale – Third Edition"~~ ~~"Family Child Care Environment Rating Scale – Revised Edition"~~ (Harms, Cryer and Clifford, ~~2007~~ 2019, published by Teachers College Press, New York, NY) is the instrument used to evaluate the quality of care received by children in family child care homes using the program assessment licensure pathway. ~~to achieve three or more points for the program standards of a rated license~~. This instrument is incorporated by reference and does not include subsequent editions. A copy of the scale is available for purchase on the Teachers College Press website at https://www.tcpres.com/search?search_term=assessment+materials. The cost of the scale is ~~twenty-five~~ twenty-eight dollars and ninety-five cents (~~25.95~~ 28.95). A copy of this instrument is on file at the Division at the address given in Item (23) of this Rule and is available for public inspection during regular business hours.

(21)(22) "Family Child Care Home", as defined by G.S. 110-86(3)(b) means a child care arrangement located in a residence where, at any one time, more than two children, but less than ~~nine~~ 11 children, receive child care. Family child care home operators must reside at the location of the family child care home.

(22)(23) "First aid kit" is a collection of first aid supplies (such as bandages, tweezers, disposable nonporous gloves, micro shield or face mask, liquid soap, cold pack) for treatment of minor injuries or stabilization of major injuries.

(23)(24) "Group" means the children assigned to a specific caregiver or caregivers, to meet the staff/child ratios set forth in G.S. 110-9(7) and this Chapter, using space the Division has identified for each group.

(24)(25) "Health care professional" means:

- (a) a physician licensed in North Carolina
- (b) a nurse practitioner approved to practice in North Carolina; or
- (c) a licensed physician assistant.

(25)(26) "Household member" means a person who resides in a family home as evidenced by factors including maintaining clothing and personal effects at the household address, receiving mail at the household address, using identification with the household address, or eating and sleeping at the household address on a regular basis.

(26)(27) "If weather conditions permit" means:

- (a) temperatures that fall within the guidelines developed by the Iowa Department of Public Health and specified on the Child Care Weather Watch chart. These guidelines shall be used when determining appropriate weather conditions for taking children outside for

1 outdoor learning activities and playtime. This chart may be downloaded free of charge from
2 <https://idph.iowa.gov/Portals/1/Files/HCCI/weatherwatch.pdf>;

3 (b) following the air quality standards as set forth in 15A NCAC 18A 2832(d). The Air Quality
4 Color Guide can be found on the Divisions website at [https://www.deq.nc.gov/mitigation-](https://www.deq.nc.gov/mitigation-services/publicfolder/library/news/brochures/air-quality-color-guide/download)
5 [services/publicfolder/library/news/brochures/air-quality-color-guide/download](https://www.deq.nc.gov/mitigation-services/publicfolder/library/news/brochures/air-quality-color-guide/download); and

6 (c) no active precipitation. Caregivers may choose to go outdoors when there is active
7 precipitation if children have appropriate clothing such as rain boots and rain coats, or if
8 they are under a covered area.

9 (28) “Infant” means any child from birth through 12 months of age.

10 ~~(27)~~(29) “Infant Toddler Environment Rating Scale – Third Edition” (Harms, Clifford, Cryer, ~~and Clifford~~
11 ~~and Yazejian, 2003, 2017~~, published by Teachers College Press, New York, NY) is the instrument
12 used to evaluate the quality of care received by a group of children in a child care center using the
13 program assessment licensure pathway. ~~when the majority of children in the group are younger than~~
14 ~~30 months old, to achieve three or more points for the program standards of a rated license.~~ This
15 instrument is incorporated by reference and does not include subsequent editions. A copy of the
16 scale is available for purchase on the Teachers College Press website at
17 https://www.tcpres.com/search?search_term=assessment+materials. The cost of this scale is
18 ~~twenty-five~~ twenty-eight dollars and ninety-five cents (~~\$25.95-28.95~~). A copy of this instrument is
19 on file at the Division at the address given in Item (23) of this Rule and is available for public
20 inspection during regular business hours. For the purposes of this Rule, “regular business hours” for
21 the Division means 8 a.m. to 5 p.m. during weekdays, excluding state holidays.

22 ~~(28)~~(30) “ITS-SIDS training” means the Infant/Toddler Safe Sleep and SIDS Risk Reduction Training
23 developed by the NC Healthy Start Foundation and administered by the North Carolina Child Care
24 Health and Safety Resource Center for the Division of Child Development and Early Education for
25 caregivers of children ages 12 months and younger. Information regarding trainer and training
26 availability can be found on the Division’s website at
27 https://ncchildcare.ncdhhs.gov/providers/pv_itssidsproject.asp.

28 ~~(29)~~(31) “Lead Teacher” means an individual who is responsible for planning and implementing the daily
29 program of activities for a group of children in a child care facility. A lead teacher is counted in
30 staff/child ratio, has unsupervised contact with children, and is monetarily compensated by the
31 facility.

32 ~~(30)~~(32) “Licensee” means the person or entity that is granted permission by the State of North Carolina to
33 operate a child care facility. The owner of a facility is the licensee.

34 ~~(31)~~(33) “Lockdown drill” means an emergency safety procedure in which occupants of the facility remain
35 in a locked indoor space and is used when emergency personnel or law enforcement determine a
36 dangerous person is in the vicinity.

1 ~~(32)~~(34) “North Carolina Early Childhood Administration Credential” means the state early childhood
2 administration credential that is based on completion of required early childhood coursework taken
3 at any NC Community College. Other post secondary curriculum coursework shall be approved as
4 equivalent if the Division determines that the content of the other post secondary curriculum
5 coursework offered is substantially equivalent to the NC Early Childhood Administration Credential
6 Coursework. A copy of the North Carolina Early Childhood Administration Credential requirements
7 is on file at the Division at the address given in Item (2) of this Rule and is available for public
8 inspection or copying at no charge during regular business hours. This information can be found on
9 the Division’s website at <https://ncchildcare.ncdhhs.gov/providers/credent.asp>.

10 ~~(33)~~(35) “North Carolina Early Educator Certification (certification)” is an acknowledgement of an
11 individual’s verified level of educational achievement based on a standardized scale. The North
12 Carolina Institute for Child Development Professionals certifies individuals and assigns a
13 certification level on two scales:

- 14 (a) the Early Care and Education Professional Scale (ECE Scale) in effect as of July 1, 2010;
15 or
16 (b) the School Age Professional Scale (SA Scale) in effect as of May 19, 2010. Each scale
17 reflects the amount of education earned in the content area pertinent to the ages of children
18 served. The ECE scale is designed for individuals working with or on behalf of children
19 ages birth to five. The SA scale is designed for individuals working with or on behalf of
20 children ages five to 12 who are served in school age care settings. Information on the
21 voluntary certification process can be found on the North Carolina Institute for Child
22 Development Professionals website at [https://ncicdp.org/certification-licensure/eec-](https://ncicdp.org/certification-licensure/eec-overview/)
23 overview/.

24 ~~(34)~~(36) “North Carolina Early Childhood Credential” means the state early childhood credential that is
25 based on completion of required early childhood coursework taken at any North Carolina
26 Community College. Other equivalences shall be approved by the Division if the Division
27 determines that the content of other coursework or other pathways are substantially equivalent to
28 the North Carolina Early Childhood Credential coursework. Substantially equivalent coursework
29 shall include, but not be limited to:

- 30 (a) a current active Child Development Associate Credential from the Council for Professional
31 Recognition, a Certified Child Care Professional Credential from the National Early
32 Childhood Program Accreditation, or a Montessori Credential from any of the Montessori
33 Accreditation Council for Teacher Education, American Montessori Society, National
34 center for Montessori Education, or Association Montessori Internationale; or
35 (b) a passing score on a test developed by the early childhood faculty of the North Carolina
36 Community College System designed to demonstrate an individual’s mastery of the

1 concepts taught in early childhood coursework taken at any North Carolina community
2 college.

3 A copy of the North Carolina Early Childhood Credential requirements is on file at the Division at
4 the address given in Item (23) of this Rule and is available for public inspection or copying at no
5 charge during regular business hours. This information can be found on the Division's website at
6 <https://ncchildcare.ncdhhs.gov/providers/credent.asp>.

7 ~~(35)~~(37) "Operator" means the owner, director, or other person having responsibility for operation of a child
8 care facility subject to licensing.

9 ~~(36)~~(38) "Owner" means any person with a five percent or greater equity interest in a child care facility;
10 however, stockholders of corporations who own child care facilities shall not be subject to
11 mandatory criminal history checks pursuant to G.S.110-90.2 unless they are a child care provider.

12 ~~(37)~~(39) "Parent" means a child's parent, legal guardian, or full-time custodian.

13 ~~(38)~~(40) "Passageway" means a hall or corridor.

14 ~~(39)~~(41) "Person" means any individual, trust, estate, partnership, corporation, joint stock company,
15 consortium, or any other group, entity, origination or association.

16 ~~(40)~~(42) "Premises" means the entire child care building and grounds including natural areas, outbuildings,
17 dwellings, vehicles, parking lots, driveways and other structures located on the property.

18 ~~(41)~~(43) "Preschooler" or "preschool-age child" means any child who is at least three years of age and does
19 not fit the definition of school-age child in this Rule.

20 ~~(42)~~(44) "Reside" refers to any person that lives at a child care facility location. Factors for determining
21 residence include:

- 22 (a) use of the child care facility address as a permanent address for personal identification or
- 23 mail delivery;
- 24 (b) use of the child care facility to store personal belongings such as furniture, clothing, and
- 25 toiletry items; and
- 26 (c) name listed on official documents such as criminal records or property tax records.

27 ~~(43)~~(45) "School-Age Care Environment Scale Rating Scale, Updated Edition" (Harms, Jacobs, and White,
28 2014, published by Teachers College Press) is the instrument used to evaluate the quality of care
29 received by a group of children in a child care center using the program assessment licensure
30 pathway.. when the majority of the children in the group are older than five years, to achieve three
31 or more points for the program standards of a rated license. This instrument is incorporated by
32 reference and does not include subsequent editions. A copy of the scale is available for purchase on
33 the Teacher College Press website at
34 https://www.tcpres.com/search?search_term=assessmnt+materials. The cost of this scale is
35 twenty-five-twenty-eight dollars and ninety-five cents (~~\$25.95-28.95~~). A copy of this instrument is
36 on file at the Division at the address in Item (23) of this Rule and is available for public inspection
37 during regular business hours.

~~(44)~~(46) "School-age child" means any child who is attending or who has attended public or private grade school or kindergarten and meets age requirements as specified in G.S. 115C-364.

~~(45)~~(47) "Seasonal Program" means a recreational program as set forth in G.S. 110-86(b).

~~(46)~~(48) "Shelter-in-Place drill" means staying in place to take shelter rather than evacuating. It involves selecting a small interior room, with no or few windows, and used when emergency personnel or law enforcement determine there is a threat.

~~(47)~~(49) "Staff" or "staff member" as used in this Chapter includes child care providers, substitute workers, and uncompensated providers. Volunteers, as defined in this Rule, are not staff members.

~~(48)~~(50) "Substitute provider" means any person who temporarily assumes the duties of a staff person for a time period not to exceed two consecutive months and may or may not be monetarily compensated by the facility. Any substitute provider must be at least 18 years of age and literate.

~~(49)~~(51) "Teacher" means an individual who assists the Lead Teacher in planning and implementing the daily program of activities for a group of children in a child care facility. A teacher is counted in staff/child ratio, has unsupervised contact with children, and is monetarily compensated by the facility.

~~(50)~~(52) Teachers aide" or "Aide" means a person who assists the lead teacher or the teacher in planning and implementing the daily program. A teacher's aide shall be at least 16 years old and less than 18 years old, shall be literate, and may count in staff/child ratio as long as there is also a credentialed staff person who is at least 21 years of age present in the room and available to respond to the needs of the teacher's aide and children in care.

~~(51)~~(53) "Toddler" means any child ages 13 months to 35 months of age.

~~(52)~~(54) "Track-Out Program" means any child care provided to school-age children when they are out of school on a year-round school calendar.

~~(53)~~(55) "Uncompensated provider" means a person who works in a child care facility and is counted in staff/child ratio or has unsupervised contact with children, but who is not monetarily compensated by the facility. An uncompensated provider must be at least 18 years of age and literate.

~~(54)~~(56) "Volunteer" means a person who works in a child care facility and is not counted in staff/child ratio, does not have unsupervised contact with children, and is not monetarily compensated by the facility. A person who is at least 13 years of age, but less than 16 years age, may work on a volunteer basis, as long as he or she is supervised by and works with a staff person who is at least 21 years of age and meets staff qualification requirements.

History Note: Authority G.S. 110-85; 110-88; 110-90.2; 143B-168.3; 45 CFR 98.41; S.L. 2021-180; S.L. 2022-71; 45 CFR 98.16; S.L. 2024-34

Eff. January 1, 1986

Amended Eff. April 1, 1992; October 1, 1991; October 1, 1990; November 1, 1989;

Temporary Amendment Eff. January 1, 1996;

1 *Amended Eff. March 1, 2015; May 1, 2013; September1, 2012; July 3, 2012; July 1, 2012;*
2 *November 1, 2007; May 2006; May 1, 2004; April 1, 2003; July 1, 2000; April 1, 1999; July 1,*
3 *1998; April 1, 1997*
4 *Readopted Eff. October 1, 2017;*
5 *Amended Eff. January 1, 2024; July 1, 2023; February 1, 2022; February 1, 2021; September 1,*
6 *2019;*
7 *Amended Eff. July 1, 2025.*

10A NCAC 09 .2902 is amended as published in 39:15 NCR 1003 as follows:

10A NCAC 09 .2902 LICENSE

(a) Developmental Day services shall be available for preschool children for a minimum of 8 hours per day, 5 days per week, Monday through Friday, and 12 months per year except in the following circumstances:

(1) in counties where no Community-Based Developmental Day Center operates, a Developmental Day program operated by the Local Education Agency may provide services for the 10 month school year (as defined by the State Board of Education); or

(2) if a Community-Based Developmental Day center opens in a county where Developmental Day services are only provided by a Developmental Day program operated by the Local Education Agency, the Developmental Day program operated by the Local Education Agency shall continue to provide services for the 10 month school year until the end of the following school year. At the end of the following school year, all Developmental Day services in the county shall be available as described in Paragraph (a) of this Rule.

(b) For purposes of this Rule, a "Community-Based Developmental Day Center" means a Developmental Day Center not operated by the Local Education Agency.

(c) Developmental Day Centers shall maintain a four or five star rated license as set forth in Section .3200 of this Chapter. ~~with an average score of 5.0 on the appropriate environment rating scale in each classroom evaluated as defined in 10A NCAC 09 .0102(15), (25) and (40).~~

(d) A child care center with a temporary license may receive certification status if all rules in this Section are met, except for Paragraph (c) of this Rule, and an application for a two to five star rated licensed has been submitted in accordance with Section .2800 of this Chapter. At the end of the temporary license period the child care center shall obtain a four or five star rated license as specified in Paragraph (c) of this Rule. Failure to receive and maintain a four or five star rated license shall result in the removal of certification status as a Developmental Day Center.

(e) The child care center license shall indicate certification as a Developmental Day Center.

(f) The center shall comply with the staff-child ratio and maximum group size as follows:

MAXIMUM

AGE	RATIO STAFF/CHILDREN	GROUP SIZE
0-12 Months	1/4	8
1 to 2 Years	1/5	10
2 Years and Older	1/6	18

(g) A minimum of two staff members shall be on site at all times while children are in attendance at the facility.

(h) A child care center may appeal the removal of certification status in accordance with G.S. 110-94; however, an appeal shall not preclude a Local Education Agency from removing contracted children from the program before a final decision on the appeal is reached.

1 *History Note:* *Authority G.S. 110-85; 110-88(5); 110-88(10); 110-88(14); S.L 2024-34; 42 USCS 9858c; 45 CFR*
2 *98.41; 45 CFR 98.68; S.L 2024-34;*
3 *Eff. July 1, 2010;*
4 *Amended Eff. August 1, 2016;*
5 *Readopted Eff. October 1. 2017;*
6 *Amended Eff. July 1, 2025.*

1 10A NCAC 09 .2905 is amended as published in 39:15 NCR 1003-1004 as follows:

2
3 10A NCAC 09 .2905 FAMILY SERVICES

4 The center shall facilitate family involvement as evidenced by meeting ~~at least four of the following activities, six~~
5 ~~activities. These activities may not be used to meet the requirements set forth in Rule .3219 of this Chapter.~~

6 (1) Providing quarterly parent education sessions;

7 ~~(2) Holding parent/teacher conferences at least twice a year;~~

8 ~~(3)(2) Communicating on an individual basis with parents via daily; and notes, progress reports, or~~
9 ~~surveys;~~

10 ~~(4)(3) Having parents as members of a center advisory board. board;~~

11 ~~(5) Providing opportunities for parent volunteers to assist with special classroom activities, field trips,~~
12 ~~and other learning experiences for children; or~~

13 ~~(6) Providing parents with referral information about other community programs and resources serving~~
14 ~~young children.~~

15
16 *History Note: Authority G.S. 110-85(3); 110-88(14); 42 USCS 9858; 45 CFR 98.1; 45 CFR 98.16; S.L. 2024-34*
17 *Eff. July 1, 2010;*
18 *Readopted Eff. October 1, 2017;*
19 *Amended Eff. July 1, 2025.*

10A NCAC 09 .3002 is amended as published in 39:15 NCR 1004 as follows:

10A NCAC 09 .3002 FACILITY REQUIREMENTS

(a) Programs serving NC Pre-K children shall maintain a four-or five-star rated license in accordance with G.S. 110-90(4) and Section ~~.2800~~ .3200 of this Chapter.

(b) NC Pre-K programs that have earned a four-or five-star rated license using the program assessment licensure pathway or the classroom instructional quality licensure pathway in Rules .3203 and .3205 of this Chapter shall have an assessment completed every three years using the Early Childhood Environment Rating Scale-Third Edition assessment tool. Classrooms that score below 5.0 shall be reassessed the following year and a minimum score of 5.0 must be achieved in order to continue to be approved as a NC Pre-K site. At least one NC Pre-K classroom shall be selected for an assessment during the reassessment process. NC Pre-K programs that have earned a four-or five-star rated license using the accreditation and Head Start licensure pathway in Rule .3207 of this Section are not required to have an assessment and shall instead comply with standards set forth by those organizations regarding program quality standards.

~~All NC Pre K licensed programs shall have an assessment completed every three years using the Early Childhood Environment Rating Scale Revised Edition assessment tool as a part of the rated license reassessment process as defined in Rule .0102(15), (25) and (40) of this Chapter. Classrooms that score below 5.0, shall be reassessed the following year and a minimum score of 5.0 must be achieved in order to continue to be approved as a NC Pre K site. At least one NC Pre K classroom shall be selected for an assessment during the reassessment process.~~

(c) During the NC Pre-K day, classrooms serving NC Pre-K children shall provide outdoor time, either as part of a small group, whole group, or individual activity, for no less than 45 minutes per day when weather conditions permit as defined in Rule .0102 of this Chapter.

*History Note: Authority G.S. 110-85; 110-88; S.L. 2011-145, s. 10.7(a) S.L. 2024-34;
Eff. November 1, 2012;
Readopted Eff. October 1, 2017;
Amended Eff. July 1, 2025.*

1 **10A NCAC 09 is amended as published in 39:15 NCR 1004 as follows:**

2
3 **10A NCAC 09 .3009 STAFF-TO-CHILD RATIO AND CLASS SIZE**

4 The classroom shall not exceed a maximum staff-to-child ratio of one to ~~nine~~ 10 with a maximum class size of ~~18~~ 20
5 children, with at least one teacher and one teacher assistant per classroom. A classroom of ~~nine~~ 10 children or less
6 shall have at least one teacher.

7
8 *History Note: Authority G.S. 110-85; 110-88; S.L. 2011-145, s. 10.7(a); S.L. 2023-134;*

9 *Eff. November 1, 2012;*

10 *Readopted Eff. October 1, 2017;*

11 *Amended Eff. July 1, 2025.*

10A NCAC 09 .3010 is amended as published in NCR 39:15 1004 as follows:

10A NCAC 09 .3010 FAMILY ENGAGEMENT

NC Pre-K programs shall develop a plan for family engagement consisting of strategies designed to develop partnerships with families that promote shared decision-making opportunities. These opportunities shall include:

- (1) ~~Allowing Pre-K program teachers the opportunity for home visits;~~ An enrollment orientation that includes an opportunity for families and child(ren) to visit the assigned classroom and lead teacher prior to the first day of enrollment.
- (2) ~~Formal and informal parent/teacher conferences;~~ Family and teacher conferences are offered at least twice annually to discuss child needs and progress toward individual goals and to receive feedback from families regarding their child(ren)'s experiences at home and at the child care facility. During each conference, families are offered an opportunity to set a goal(s) for their child. Conferences shall be conducted in a manner that is convenient for the family such as by telephone, virtually or in-person.
- (3) Classroom visits and options for parents and families to participate in classroom activities;
- (4) ~~Parent education;~~ At least one family event annually that includes an educational opportunity for staff and families to learn together.
- (5) Allowing family members the opportunity for involvement in decision making about their own child and about their child's early childhood program; and
- (6) Opportunities to engage families outside of the regular school day, including at least two family events annually.

Items (1)(2)(4) and (6) may be used to meet requirements set forth in Rule .3219 of this Chapter regarding family and community engagement.

History Note: Authority G.S. 110-85; 110-88; S.L. 2011-145, s. 10.7(a); 42 USCS 9858c; 45 CFR 98.1; 45CFR 98.16; S.L. 2024-34;
Eff. November 1, 2012;
Readopted Eff. October 1, 2017.
Amended Eff. July 1, 2025.

1 **SECTION .3200** **PATHWAYS TO THE STARS: WHERE QUALITY AND CHOICE MEET (TWO**
2 **THROUGH FIVE STAR RATED LICENSES)**

3
4 **10A NCAC 09 .3201 is adopted as published in 39:15 NCR 1004-1005 as follows:**

5
6 **10A NCAC 09 .3201** **SCOPE**

7 (a) This Section shall apply to all child care facilities that have met requirements for a one-star rated license and choose
8 to apply for and earn a rated license of two-stars or higher.

9 (b) A child care facility shall be eligible for a rated license of two through five-stars upon application and assessment
10 of compliance with the requirements of this Section.

11 (c) No requirement in any component of a two-star or higher rating shall be less than the requirements for a one-star
12 rating described in G.S. 110-91 and this Chapter. Prior to issuance of an initial two through five-star rating, all
13 requirements in G.S. 110-91 and this Chapter shall be met at the time the program is assessed for a higher rating. The
14 requirements for a rated license of two-stars or higher shall be in addition to the standards found in G.S 110-91 and
15 this Chapter.

16 (d) Nothing in this Section shall preclude or interfere with the issuance of an administrative action as allowed by G.S.
17 110, Article 7 and this Chapter.

18
19 *History Note:* Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; 42 USCS 9858e; 45 CFR 98.45;
20 Eff. July 1, 2025.

10A NCAC 09 .3202 is adopted as published in 39:15 NCR 1005 as follows:

10A NCAC 09 .3202 APPLICATION FOR A TWO THROUGH FIVE STAR RATED LICENSE

(a) After a licensed child care facility has demonstrated compliance with applicable child care requirements while operating with a temporary license as set forth in Rules .0403 and .1701 of this Chapter, the operator may apply for an initial two through five-star rated license.

(b) The operator shall submit a completed application to the Division for a two through five-star rated license on the form provided by the Division.

(c) An operator may select one of three licensure pathways in order to earn a two through five-star rated license. The operator shall meet the requirements set forth in this Section for the star rating desired within the selected licensure pathway. Requirements for licensure pathways may not be combined. The three licensure pathways are as follows:

(1) Program Assessment Pathway as set forth in Rules .3203 and .3204 of this Section;

(2) Classroom and Instructional Quality Pathway as set forth in Rules .3205 and .3206 of this Section; and

(3) Accreditation and Head Start Pathway as set forth in Rule .3207 of this Section.

(d) A Division representative shall assess a facility requesting a two through five-star rated license to determine if all applicable requirements have been met to achieve the requested star rating. The assessment shall include a review of Division records and site visits.

(e) Upon completion of the Divisions assessment:

(1) If the assessment indicates all the applicable requirements to achieve the requested rating have been met, the Division shall issue the rating.

(2) If the assessment indicates all the applicable requirements to achieve the requested rating have not been met, the Division shall notify the operator of the requirements that were not met and the requested two through five-star rating shall not be issued. The operator may:

(A) accept the rating for which the Division has found the operator to be eligible;

(B) withdraw the request and reapply when the identified requirements to achieve the requested rating have been met; or

(C) appeal the denial of the requested rating as provided in G.S. 110-91.

History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b); 42 USCS 9858e; 45 CFR 98.45;
Eff. July 1, 2025.

10A NCAC 09 .3203 is adopted as published in 39:15 NCR 1005-1007 as follows:

10A NCAC 09 .3203 PROGRAM ASSESSMENT PATHWAY FOR CHILD CARE CENTERS

(a) This Rule shall apply to child care centers, including centers located in a residence, that choose to earn a two through five-star rated license using the program assessment licensure pathway.

(b) As used in this Rule, “educators” shall mean teachers, group leaders, and administrative staff, including directors, assistant directors, program coordinators, education coordinators, curriculum specialists, and other staff that have responsibility for planning, caregiving, mentoring or training on-site in a child care center. Educators shall meet the education standards of a position as set forth in Rules .3211, .3213, .3214, .3215, .3216 and .3218 of this Section and work full-time. If a program operates less than 40 hours per week, full-time shall mean the hours the program is in operation.

(c) As used in this Rule, “structured self-study” shall mean the process used to reflect on current teaching practices and educational environments, and identify areas of strength, needs, and action steps required to achieve the standards of the applicable program assessment tool(s) as set forth in (d) of this Rule, based on the age of the children served. A structured self-study shall be completed over a minimum of three consecutive months and include a self-assessment using the appropriate program assessment tool and additional resources located at [insert weblink], a written reflection of the self-assessment, including identification of goals for continuous quality improvement, and documentation of the structured self-study using forms found on the Division’s website at <http://ncchildcare.ncdhhs.gov/Provider/Provider-Documents-and-Forms>.

(d) Child care centers shall be evaluated using “Infant/Toddler Environment Rating Scale, Third Edition” (ITERS-3), “Early Childhood Environment Rating Scale, Third Edition” (ECERS-3), and “School-Age Care Environment Rating Scale, Updated Edition” (SACERS-U), based on the ages of children served. Centers located in a residence, as described in Rule .0102 of this Chapter, shall be evaluated using “Family Child Care Environment Rating Scale, Third Edition” (FCCERS-3). Alternatively, the Commission may approve additional program assessment tools that meet the following criteria:

- (1) the program assessment tool is research-based;
- (2) the program assessment tool has demonstrated reliability and validity;
- (3) the program assessment tool has been developed and validated for the intended population;
- (4) the standards being evaluated by the program assessment tool are measurable;
- (5) the program assessment tool is published or otherwise publicly available;
- (6) the program assessment tool assesses and supports early childhood environments in a way that is sensitive and responsive to the needs of all children and families from culturally, linguistically, economically, and ability diverse backgrounds; and
- (7) the program assessment tool and training for its use has a process to reduce bias.

Upon approval of additional program assessment tools, a child care center may choose which assessment tool they utilize to earn a star rating in this licensure pathway, as long as their choice is applicable to the ages of children served, the type of facility in operation, or other criteria specified by the Commission in its approval.

1 (e) For a child care center to earn a two-star rated license, the following requirements shall be met:

- 2 (1) The child care center shall meet either the enhanced ratio requirements set forth in Rule .3208 of
3 this Section or the enhanced space requirements set forth in Rule .3210 of this Section.
- 4 (2) At least fifty percent of lead teachers and at least fifty percent of educators shall meet the individual
5 education standards at the two-star level, as set forth in Rules .3211, .3212, .3213, .3214, .3215,
6 .3216 and .3218 of this Section, or higher.
- 7 (3) The child care center shall implement family and community engagement foundational practices set
8 forth in Rule .3219 of this Section.
- 9 (4) The child care center shall implement the continuous quality improvement standards set forth in
10 Rule .3221 of this Section.
- 11 (5) All administrators and lead teachers shall complete a structured self-study.

12 (f) For a child care center to earn a three-star rated license, the following requirements shall be met:

- 13 (1) The child care center shall meet either the enhanced ratio requirements set forth in Rule .3208 of
14 this Section or the enhanced space requirements set forth in Rule .3210 of this Section.
- 15 (2) At least fifty percent of lead teachers and at least fifty percent of educators shall meet the
16 individual education standards at the three-star level, as set forth in Rules .3211, .3212, .3213,
17 .3214, .3215, .3216 and .3218 of this Section, or higher.
- 18 (3) The child care center shall implement the family and community engagement standards set forth in
19 Rule .3219 of this Section for a three-star rated license.
- 20 (4) The child care center shall implement the continuous quality improvement standards set forth in
21 Rule .3221 of this Section.
- 22 (5) All administrators and lead teachers shall complete a structured self-study.
- 23 (6) The child care center shall request and complete an external program assessment and use the results
24 of the assessment in the continuous quality improvement plan set forth in Rule .3221 of this Section.

25 (g) For a child care center to earn a four-star rated license, the following requirements shall be met:

- 26 (1) The child care center shall meet either the enhanced ratio requirements set forth in Rule .3208 of
27 this Section or the enhanced space requirements set forth in Rule .3210 of this Section.
- 28 (2) At least fifty percent of lead teachers and at least fifty percent of educators shall meet the individual
29 education standards at the four-star level, as set forth in Rules .3211, .3212, .3213, .3214, .3215,
30 .3216 and .3218 of this Section, or higher.
- 31 (3) The child care center shall implement the family and community engagement standards set forth in
32 Rule .3219 of this Section for a four-star rated license.
- 33 (4) The child care center shall implement the continuous quality improvement standards set forth in
34 Rule .3221 of this Section.
- 35 (5) All administrators and lead teachers shall complete a structured self-study.
- 36 (6) The child care center shall request and complete an external program assessment:

- (A) For any assessment that occurs prior to January 1, 2028, the child care center must earn an average score of 3.5 or higher for its ITERS-3 and ECERS-3 classrooms and an average score of 4.0 or higher for its SACERS-U classrooms. When calculating an average score for ITERS-3 and ECERS-3 or SACERS-U, the child care center may drop one classroom's assessment score, so long as there is at least one additional classroom serving the same age children and that classroom's score is included in the average score. A child care center using an alternative approved program assessment tool shall earn a comparable assessment score based on the tool's scoring scale, as determined by the Commission.
- (B) For any assessment that occurs on or after January 1, 2028, a child care center using the ITERS-3, ECERS-3, or SACERS-U assessments must earn an average score of 4.0 or higher by averaging all classroom scores. The child care center may drop one classroom's assessment score, so long as there is at least one additional classroom serving the same age children and that classroom's score is included in the average score. A child care center using an alternative approved program assessment tool shall earn a comparable score based on the tool's scoring scale, as determined by the Commission.
- (7) Child care centers that are licensed to serve four-year-old children shall implement a curriculum as defined in Rule .0102(11) of this Chapter in any classroom serving four-year-old children and older.
- (h) For a child care center to earn a five-star rated license, the following requirements shall be met:
- (1) The child care center shall meet the enhanced ratio requirements set forth in Rule .3208 of this Section. Meeting the enhanced space requirements set forth in Rule .3210 of this Section is optional.
- (2) At least fifty percent of all lead teachers and at least fifty percent of educators shall meet the individual education standards at the five-star level, as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section, or higher.
- (3) The child care center shall implement the family and community engagement standards set forth in Rule .3219 of this Section for a five-star rated license.
- (4) The child care center shall implement the continuous quality improvement standards set forth in Rule .3221 of this Section.
- (5) All administrators and lead teachers shall complete a structured self-study.
- (6) The child care center shall request and complete an external program assessment:
- (A) For any assessment that occurs prior to January 1, 2028, the child care center must earn an average score of 4.0 or higher for its ITERS-3 and ECERS-3 classrooms and an average score of 5.0 or higher for its SACERS-U classrooms. When calculating an average score for the ITERS-3 and ECERS-3 or SACERS-U, the child center may drop one classroom's assessment score, so long as there is at least one additional classroom serving the same age children and that classroom's score is included in the average score. A child care center using an alternative approved program assessment tool shall earn a comparable assessment score based on the tool's scoring scale, as determined by the Commission.

(B) For any assessment that occurs on or after January 1, 2028, a child care center using the ITERS-3, ECERS-3, or SACERS-U assessments must earn an average score of 5.0 or higher by averaging all classroom scores. The child care center may drop one classroom's assessment score, so long as there is at least one additional classroom serving the same age children and that classroom's score is included in the average score. A child care center using an alternative approved program assessment tool shall earn a comparable score based on the tool's scoring scale, as determined by the Commission.

(7) Child care centers that are licensed to serve four-year-old children shall implement a curriculum as defined in Rule .0102(11) of this Chapter in any classroom serving four-year-old children and older.

(i) For any child care center serving pre-school age children, the following shall also apply:

(1) Each child care center shall comply with the requirements set forth in Rule .0508 of this Chapter for written activity schedules and plans and Rule .0509 of this Chapter for general activity requirements;

(2) Each child care center shall comply with the requirements for activity areas for preschool-age children as set forth in Rule .0510 of this Chapter, except that all five of the activity areas listed in G.S. 110-91(12) shall be available each day and the activities listed in Rule .0510© of this Chapter shall be offered for each group of children at least once per week; and

(3) The requirements for activities for infants and toddlers set forth in Rule .0511 of this Chapter shall apply for children under three years of age.

(j) For child care centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its approved equivalent.

(k) For child care centers providing school-age care with 200 or more school-aged children enrolled, there shall be two program coordinators on-site, one of whom shall not have concurrent group leader responsibilities. The additional program coordinator shall have completed all the applicable staff requirements in Rule .2510(b) of this Chapter.

(l) The above requirements shall apply to centers located in a residence, as described in Rule .0102 of this Chapter, expect that the following shall apply when determining individual staff education standards:

(1) If the operator is the only lead teacher, the operator shall meet the individual education standards at the desired star level, as set forth in Rule .3212 of this Section, or higher.

(2) If additional lead teachers are employed by the operator, at least fifty percent of all lead teachers, including the operator, shall meet the individual education standards at the desired star level, as set forth in Rule .3212, or higher.

History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b) and (d); 42 USCS 9858e; 45 CFR 98.45; Eff. July 1, 2025.

10A NCAC 09 .3204 is adopted as published in 39:15 NCR 1008-1009 as follows:

10A NCAC 09 .3204 PROGRAM ASSESSMENT PATHWAY FOR FAMILY CHILD CARE HOMES

(a) This Rule shall apply to operators of family child care homes that choose to earn a two through five-star rated license using the program assessment licensure pathway.

(b) For purposes of this Rule, “structured self-study” shall mean the process that family child care home operators use to reflect on current teaching practices and educational environments, and identify areas of strength, needs and action steps required to achieve the standards of the program assessment tool as set forth in (c) of this Rule. A structured self-study shall be completed over a minimum of three consecutive months and include a self-assessment using the appropriate program assessment tool and additional resources located at [insert weblink], a written reflection of the self-assessment, including identification of goals for continuous quality improvement, and documentation of the structured self-study using forms found on the Division’s website at <http://ncchildcare.ncdhhs.gov/Provider/Provider-Documents-and-Forms>.

(c) Family child care homes shall be evaluated using “Family Child Crae Environment Rating Scale, Third Edition” (FCCERS-3). Alternatively, the Commission may approve additional program assessment tools that meet the following criteria:

- (1) the program assessment tool is research-based;
- (2) the program assessment tool has demonstrated reliability and validity;
- (3) the program assessment tool has been developed and validated for the intended population;
- (4) the standards being evaluated by the program assessment tool are measurable;
- (5) the program assessment tool is published or otherwise publicly available;
- (6) the program assessment tool assesses and supports early childhood environments in a way that is sensitive and responsive to the needs of all children and families from culturally, linguistically, economically, and ability diverse backgrounds; and
- (7) the program assessment tool and training for its use has a process to reduce bias.

Upon approval of additional program assessment tools, the operator of a family child care home may choose which assessment tool they utilize to earn a star rating in this licensure pathway, as long as their choice is applicable to the ages of children served, the type of facility in operation, or other criteria specified by the Commission in its approval.

(d) For a family child care home to earn a two-star rated license, the following requirements shall be met:

- (1) The operator shall meet education standards at the two-star level set forth in Rule .3217 of this Section or higher.
- (2) The operator shall implement the family and community engagement foundational practices set forth in Rule .3220 of this Section.
- (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of this Section.
- (4) The operator shall complete a structured self-study.

(e) For a family child care home to earn a three-star rated license, the following requirements shall be met:

- (1) The operator shall meet education standards at the three-star level set forth in Rule .3217 of this Section or higher.
 - (2) The operator shall implement the family and community engagement standards set forth in Rule .3220 of this Section for a three-star rated license.
 - (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of this Section.
 - (4) The operator shall complete a structured self-study.
 - (5) The operator shall request and complete an external program assessment and use the results of the assessment in the continuous quality improvement plan set forth in Rule .3221 of this Section.
- (f) For a family child care home to earn a four-star rated license, the following requirements shall be met:
- (1) The operator shall meet education standards at the four-star level set forth in Rule .3217 of this Section or higher.
 - (2) The operator shall implement the family and community engagement standards set forth in Rule .3220 of this Section for a four-star rated license.
 - (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of this Section.
 - (4) The operator shall complete a structured self-study.
 - (5) The family child care home operator shall request and complete external program assessment:
 - (A) For any assessment that occurs prior to January 1, 2028, the family child care home must earn a score of 3.5 or higher on its FCCERS-3 assessment. An operator using an approved alternative program assessment tool shall earn a comparable score based on the tool's scoring scale, as determined by the Commission.
 - (B) For any assessment that occurs on or after January 1, 2028, the family child care home shall earn a score of 4.0 or higher on its FCCERS-3 assessment. An operator using an alternative approved program assessment tool shall earn a comparable score based on the tool's scoring scale, as determined by the Commission.
 - (6) Operators that are licensed to serve four-year-old children shall implement a curriculum as defined in Rule .0102(11) of this Chapter for use with children four years old and older.
- (g) For a family child care home to earn a five-star rated license, the following requirements shall be met:
- (1) The operator shall meet education standards at the five-star level set forth in Rule .3217 of this Section, or higher.
 - (2) The operator shall implement the family and community engagement standards set forth in Rule .3220 of this Section for a five-star rated license.
 - (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of this Section.
 - (4) The operator shall complete a structured self-study.
 - (5) The operator shall request and complete an external program assessment:

1 (A) For any assessment that occurs prior to January 1, 2028, the family child care home must
2 earn a score of 4.0 or higher on its FCCERS-3 assessment. An operator using an approved
3 alternative program assessment tool shall earn a comparable score based on the tool's
4 scoring scale, as determined by the Commission.

5 (B) For any assessment that occurs on or after January 1, 2028, the family child care home
6 shall earn a score of 5.0 or higher on its FCCERS-3 assessment. An operator using an
7 alternative approved program assessment tool shall earn a comparable score based on the
8 tool's scoring scale, as determined by the Commission.

9 (6) Operators that ae licensed to serve four-year-old children shall implement a curriculum as defined
10 in Rule .0102(11) of this Chapter for use with children four years old or older.

11
12 *History Note:* Authority G.S 110-85 (3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b) and (d);
13 42USCS 9858e; 45 FR 98.45;
14 Eff. July 1, 2025.

10A NCAC 09 .3205 is adopted as published in 39:15 NCR 1009-1012 as follows:

10A NCAC 09 .3205 CLASSROOM AND INSTRUCTIONAL QUALITY PATHWAY FOR CHILD CARE CENTERS

(a) This Rule shall apply to child care centers that choose to earn two through five star rated license using the classroom and instructional quality licensure pathway.

(b) As used in this Rule, “educators” shall mean teachers, group leaders, and administrative staff, including directors, assistant directors, program coordinators, education coordinators, curriculum specialists, and other staff that have responsibility for planning, caregiving, mentoring or training on-site in a child care center. Educators shall meet the education standards of a position as set forth in Rules .3211, .3213, .3214, .3214, .3216 and .3218 of this Section and work full-time. If a program operates less than forty hours per week, full-time shall mean the hours the program is in operation.

(c) For a child care center to earn a two-star rated license, the following requirements shall be met:

- (1) The child care center shall meet either the enhanced ratio requirements set forth in Rule .3208 of this Section or the enhanced space requirements set forth in Rule .3210 of this Section.
- (2) A least fifty percent of lead teachers and at least fifty percent of educators shall meet the individual education standards at the two-star level as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section or higher.
- (3) The child care center shall implement the family and community engagement foundational practices set forth in Rule .3219 of this Section.
- (4) The child care center shall implement the continuous quality improvement standards set forth in Rule .3221 of this Section.
- (5) The child care center shall implement a curriculum for all ages served that is:
 - (A) aligned with the North Carolina Foundations for Early Learning and Development;
 - (B) child focused;
 - (C) developmentally appropriate; and
 - (D) culturally and linguistically appropriate.
- (6) In curriculum planning, the child care center shall ensure modifications and adaptations are made to involve all children with special health and developmental needs.

(d) For a child care center to earn a three-star rated license, the following requirements shall be met:

- (1) The child care center shall meet either the enhanced ratio requirements set forth in Rule .3208 of this Section or the enhanced space requirements set forth in Rule .3210 of this Section.
- (2) At least fifty percent of the lead teachers and fifty percent of the educators shall meet the individual education standards at the three-star level as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section or higher.
- (3) The child care center shall implement the family and community engagement standards set forth in Rule .3219 of this Section for a three-star rated license.

- (4) The child care center shall implement continuous quality improvement standards set forth in Rule .3221 of this Section.
- (5) The child care center shall implement a curriculum for all ages served that is:
- (A) aligned with the North Carolina Foundations for Early Learning and Development;
 - (B) child focused;
 - (C) developmentally appropriate; and
 - (D) culturally and linguistically appropriate.
- (6) In curriculum planning, the child care center shall ensure modifications and adaptations are made to involve all children with special health and developmental needs.
- (7) The child care center shall ensure child observations are conducted for each child enrolled in the facility. Child observations shall include evidence of the child's activities and may include the following:
- (A) anecdotal notes;
 - (B) portfolio of child's work samples;
 - (C) developmental screenings
 - (D) formative assessment tools; or
 - (E) photographs, audio, or video recordings with permission from the child's family.
- (8) The administrator participates in one of the following activities regarding classroom and instructional quality practices:
- (A) annual completion of five hours of coaching or mentoring by another administrator of a licensed child care center with a star rating of three stars or higher, or a community resource partner;
 - (B) annual completion of five on-going training hours, in addition to applicable requirements in Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section; or
 - (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section.
- (e) For a child care center to earn a four-star rated license, the following requirements shall be met:
- (1) The child care center shall meet the enhanced ratio requirements set forth in Rule .3208 of this Section. The child care center may choose to meet the enhanced space requirements set forth in Rule .3210 of this Section.
 - (2) At least fifty percent of lead teachers and at least fifty percent of educators shall meet the individual education standards at the four-star level as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section or higher.
 - (3) The child care center shall implement the family and community engagement standards set forth in Rule .3219 of this Section for a four-star license.

- (4) The child care center shall implement the continuous quality improvement standards set forth in Rule .3221 of this Section.
- (5) The child care center shall implement a curriculum that has been approved by the Commission as defined in Rule .0102(11) of this Chapter for all ages served. A list of curricula that has been approved by the Commission is available at <http://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum>.
- (6) In curriculum planning, the child care center shall ensure modifications and adaptations are made to involve all children with special health and developmental needs.
- (7) The child care center shall conduct on-going formative assessments to gather information about each child's growth and skill development based on individual development and learning needs and maintain evidence of each child's on-going assessment. The child care center shall use a formative assessment(s) that has been approved by the Commission, available at <http://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum>. Evidence of formative assessments shall include documentation required or contemplated by the approved formative assessment and may also include:
- (A) anecdotal notes;
- (B) portfolio of child's work samples;
- (C) developmental screenings; or
- (D) photographs, audio, or video recordings with permission from the child's family.
- (8) The lead teacher shall share the results of the formative assessment with families at least once annually. The manner in which the results are shared shall be convenient for the family such as by telephone, email, virtually, or in-person.
- (9) The administrator shall complete training related to the approved curriculum and formative assessment tool that is used by center staff with children, in addition to applicable requirements in Rule .1103 of this Chapter. Verification of this training shall be maintained in the administrator's personnel file.
- (10) The administrator shall participate in one of the following activities regarding classroom and instructional quality practices:
- (A) annual completion of five hours of coaching or mentoring by another administrator of a licensed child care facility with a star-rating of four or five stars or a community resource partner;
- (B) annual completion of five on-going training hours, in addition to applicable requirements in Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section; or
- (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section.

(11) All lead teachers shall participate in one of the following activities regarding classroom and instructional quality practices:

(A) annual completion of five hours of coaching or mentoring by the administrator, another lead teacher in the center, a lead teacher in another licensed child care center with a star-rating of four or five stars, an administrator of another licensed child care center with a star-rating of four or five stars, or a community resource partner;

(B) annual completion of five on-going training hours, in addition to applicable requirements in Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section; or

(C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section.

(f) For a child care center to earn a five-star rated license, the following requirements shall be met:

(1) The child care center shall meet the reduced, enhanced ratio requirements set forth in Rule .3209 of this Section. The child care center may choose to meet the enhanced space requirements set forth in Rule .3210 of this Section.

(2) At least fifty percent of lead teachers and at least fifty percent of educators shall meet the individual education standards at the five-star level as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section, or higher.

(3) The child care center shall implement the family and community engagement standards set forth in Rule .3219 of this Section for a five-star rated license.

(4) The child care center shall implement the continuous quality improvement standards set forth in Rule .3221 of this Section.

(5) The child care center shall implement a curriculum that has been approved by the Commission as defined in Rule .0102(11) of this Chapter for all ages served. A list of curricula that has been approved by the Commission is available at <http://ncnchildcare.ncdhhs.gov/Services/Licensing/Star-Rates-License/Curriculum>.

(6) In curriculum planning, the child care center shall ensure modifications and adaptations are made to involve all children with special health and developmental needs.

(7) The child care center shall conduct on-going formative assessments to gather information about each child's growth and skill development based on individual development and learning needs and maintain evidence of each child's on-going assessment. The child care center shall use a formative assessment(s) that has been approved by the Commission, available at <http://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum>. Evidence of formative assessments shall include documentation required or contemplated by the approved formative assessment and may also include:

(A) anecdotal notes;

- (B) portfolio of child's work samples;
 - (C) developmental screenings; or
 - (D) photographs, audio, or video recordings with permission from the child's family.
- (8) The lead teacher shall share the results of the formative assessment with families at least twice annually. While sharing the results, the lead teacher shall provide an opportunity for families to contribute additional information to the formative assessment. The manner in which the results are shared shall be convenient for the family such as by telephone, email, virtually, or in-person.
- (9) The administrator and all lead teachers shall complete training related to the curriculum and formative assessment tool that is used by the center with children, in addition to applicable requirements in Rule .1103 of this Chapter. Verification of this training shall be maintained in the individual's' personnel file.
- (10) The administrator participates in one of the following activities regarding classroom and instructional quality practices:
 - (A) annual completion of five hours of coaching or mentoring by an administrator of another licensed child care center with a star-rating of five stars, or a community resource partner;
 - (B) annual completion of five on-going training hours, in addition to applicable requirements in Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section; or
 - (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section.
- (11) All lead teachers participate in one of the following activities regarding classroom and instructional quality practices:
 - (A) annual completion of five hours pf coaching or mentoring by the administrator, another lead teacher in the center, a lead teacher in another licensed child care center with a star-rating of five stars, an administrator of another licensed child care center with a star-rating of five stars, or a community resource partner;
 - (B) annual completion of five on-going training hours, in addition to applicable requirements in Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section; or
 - (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in Rule .1103 of this Chapter and Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section.
- (g) For any child care center serving pre-school age children, the following shall also apply:
 - (1) Each child care center shall comply with the requirements set forth in Rule .0508 of this Chapter for written activity schedules and plans and Rule .0509 of this Chapter for general activity requirements;

1 (2) Each child care center shall comply with the requirements for activity areas for preschool-age
2 children as set forth in Rule .0510 of this Chapter, except that all five of the activity areas listed in
3 G.S. 110-91(12) shall be available each day and the activities listed in Rule .0510(c) of this Chapter
4 shall be offered for each group of children at least once per week; and

5 (3) The requirements for activities for infants and toddlers set forth in Rule .0511 of this Chapter shall
6 apply for children under three years of age.

7 (h) For centers with a licensed capacity of two hundred or more, there shall be a second administrator on-site for a
8 minimum of twenty hours per week who shall have the Level I North Carolina Early Childhood Administrator
9 Credential or its approved equivalent.

10 (i) For centers providing school-age care with two hundred or more school-aged children enrolled, there shall be two
11 program coordinators on-site, one of whom shall not have concurrent group leader responsibilities. The additional
12 program coordinator shall have completed all the applicable staff requirements in Rule .2510(b) of this Chapter.

13 (j) The above requirements shall apply to centers located in a residence, as describes in Rule .0102 of this Chapter,
14 except that the following shall apply when determining individual staff education standards:

15 (1) If the operator is the only lead teacher, the operator shall meet the individual education standards at
16 the desired star level, as set forth in Rule .3212 of this Section, or higher.

17 (2) If additional lead teachers are employed by the operator, at least fifty percent of all lead teachers,
18 including the operator, shall meet the individual education standard at the desired star level, as set
19 forth in Rule .3212, or higher.

20
21 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3, S.L. 2011-145, s.10.7(b) and (d); S.L.
22 2024-34; 42 USCS 9858e; 45 CFR 98.45;
23 Eff. July 1, 2025.

10A NCAC 09 .3206 is adopted as published in 39:15 NCR 1012-1014 as follows as follows:

10A NCAC 09 .3206 **CLASSROOM AND INSTRUCTIONAL QUALITY PATHWAY FOR FAMILY**
CHILD CARE HOMES

(a) This Rule shall apply to family child care homes that choose to earn two through five-star rated license using the classroom and instructional quality licensure pathway.

(b) For a family child care home to earn two-star rated license, the following requirements shall be met:

- (1) The operator shall meet education standards at the two-star level as set forth in Rule .3217 of this Section or higher.
- (2) The operator shall implement the family and community engagement foundational practices set forth in Rule .3220 of this Section for a two-star rated license.
- (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of this Section.
- (4) The operator shall implement a curriculum for all ages served that is:
 - (A) aligned with the North Carolina Foundations for Early Learning and Development;
 - (B) child focused;
 - (C) developmentally appropriate; and
 - (D) culturally and linguistically appropriate.
- (5) In curriculum planning, the operator shall ensure modifications and adaptations are made to involve all children with special health and developmental needs.

(c) For a family child care home to earn a three-star rated license, the following requirements shall be met:

- (1) The operator shall meet education standards at the three-star level as set forth in Rule .3217 of this Section or higher.
- (2) The operator shall implement the family and community engagement standards set for in Rule .3220 of this Section for a three-star rated license.
- (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of this Section.
- (4) The operator shall implement a curriculum for all ages served that is:
 - (A) aligned with the North Carolina Foundations for Early Learning and Development;
 - (B) child focused;
 - (C) developmentally appropriate; and
 - (D) culturally and linguistically appropriate.
- (5) In curriculum planning the operator shall ensure modifications and adaptations are made to involve all children with special health and developmental needs.
- (6) The operator shall ensure child observations are conducted for each child enrolled in the family child care home. Child observations shall include evidence of the child's activities and may include the following:
 - (A) anecdotal notes;

- 1 (B) portfolio of child's work samples;
2 (C) developmental screenings;
3 (D) formative assessment tools; or
4 (E) photographs, audio, or video recordings with permission from the child's family.
- 5 (7) The operator participates in one of the following activities regarding classroom and instructional
6 quality practices:
- 7 (A) annual completion of five hours of coaching or mentoring by a center administrator of a
8 licensed child care center with a star-rating of three stars or higher, an operator of another
9 licensed family child care home with a star-rating of three stars or higher, or a community
10 resource partner;
- 11 (B) annual completion of five on-going training hours, in addition to applicable requirements
12 in Rule .1703(f) of this Chapter and Rule .3217 of this Section; or
- 13 (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements
14 in Rule .1703(f) of this Chapter and Rule .3217 of this Section.
- 15 (d) For a family child care home to earn a four-star rated license, the following requirements shall be met:
- 16 (1) The operator shall meet education standards at the four-star level as set forth in rule .3217 of this
17 Section or higher.
- 18 (2) The operator shall implement the family and community engagement standards set forth in Rule
19 .3220 of this Section for a four-star rated license.
- 20 (3) The operator shall implement the continuous quality improvement standards set forth in Rule .3221
21 of this Section.
- 22 (4) The operator shall implement a curriculum that has been approved by the Commission as defined
23 in Rule .0102(11) of this Chapter for all ages served. A list of curricula that has been approved by
24 the Commission is available at [http://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-](http://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum)
25 License/Curriculum.
- 26 (5) In curriculum planning, the operator shall ensure modifications and adaptations are made to involve
27 all children with special health and developmental needs.
- 28 (6) The operator shall conduct on-going formative assessments to gather information about each child's
29 growth and skill development based on individual development and learning needs and maintain
30 evidence of each child's on-going assessment. The operator shall use a formative assessment(s) that
31 has been approved by the Commission, available at
32 [http://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum.](http://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum) Evidence of
33 formative assessments shall include documentation required or contemplated by the approved
34 formative assessment and may also include:
- 35 (A) anecdotal notes;
36 (B) portfolio of child's work samples;
37 (C) developmental screenings; or

- (D) photographs, audio, or video recordings with permission from the child's family.
- (7) The operator shall share the results of the formative assessment with families at least once annually. The manner in which the results are shared shall be convenient for the family such as by telephone, email, virtually, or in-person.
- (8) The operator shall complete training related to the curriculum and formative assessment tool that is used by center staff with children, in addition o applicable requirements in Rule .1703(f) of this Chapter. Verification of this training shall be maintained in the operator's personnel file.
- (9) The operator participates in one of the following activities regarding classroom and instructional quality practices:
- (A) annual completion of five hours of coaching or mentoring by a center administrator of a licensed child care center with a star-rating of four or five stars, an operator of another licensed family child care home with a star-rating or four or five stars, or a community resource partner;
- (B) annual completion of five on-going training hours, in addition to applicable requirements in Rule .1703(f) of this Chapter and Rule .3217 of this Section; or
- (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in Rule .1703(f) of this Chapter and Rule .3217 of this Section.
- (e) For a family child care home to earn a five-star rated license, the following requirements shall be met:
- (1) If the family child care home is meeting license capacity requirements in G.S. 110-91(7)(b)(1), no more than four children shall be under the age of twenty-four months of the children who are birth to five years of age. This requirement shall not reduce the licensed capacity of the family child care home.
- (2) The operator shall meet the education standards at the five-star level set forth in Rule .3217 of this Section, or higher.
- (3) The operator shall implement the family and community engagement standards set forth in Rule .3220 of this Section for a five-star rated license.
- (4) The operator shall implement the continuous quality improvement standards set forth in Rule .3221 of this Section.
- (5) The operator shall implement a curriculum that has been approved by the Commission as defined in Rule .0102(11) of this Chapter for all ages served. A list of curricula that has been approved by the Commission is available at <http://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum>.
- (6) In curriculum planning, the operator shall ensure modifications and adaptations are made to involve all children with special health and developmental needs.
- (7) The operator shall conduct on-going formative assessments to gather information about each child's growth and skill development based on individual development and learning needs and maintain evidence of each child's on-going assessment. The operator shall use a formative assessment(s) that

- has been approved by the Commission, available at <http://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum>. Evidence of formative assessments shall include documentation required or contemplated by the approved formative assessment and may also include:
- (A) anecdotal notes;
 - (B) portfolio of child's work samples;
 - (C) developmental screenings; or
 - (D) photographs, audio, or video recordings with permission from the child's family.
- (8) The operator shall share the results of the formative assessment with families at least twice annually. While sharing the results, the operator shall provide an opportunity for families to contribute additional information to the formative assessment. The manner in which the results are shared shall be convenient for the family such as by telephone, email, virtually, or in-person.
- (9) The operator shall complete training related to the curriculum and formative assessment tool that is used, in addition to applicable requirements in Rule .1703(f) of this Chapter. Verification of this training shall be maintained in the operator's personnel file.
- (10) The operator participates in one of the following activities regarding classroom and instructional quality practices:
- (A) annual completion of five hours of coaching or mentoring by a center administrator of a licensed child care center with a star-rating of five stars, an operator of another licensed family child care home with a star-rating of five stars, or a community resource partner;
 - (B) annual completion of five on-going training hours, in addition to applicable requirements in Rule .1703(f) of this Chapter and Rule .3217 of this Section; or
 - (C) annual completion of 0.5 continuing education unit, in addition to applicable requirements in Rule .1703(f) of this Chapter and Rule .3217 of this Section.

History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b) and (d); S.L. 2024-32; 42 USCS 9858e; 45 CFR 98.45; Eff. July 1, 2025.

10A NCAC 09 .3207 is adopted as published in 39:15 NCR 1014-1015 as follows:

10A NCAC 09 .3207 ACCREDITATION AND HEAD START PATHWAY FOR CHILD CARE FACILITIES

(a) This Rule shall apply to child care facilities that choose to earn a two through five-star rated license using the accreditation and Head Start licensure pathway.

(b) As used the Rule, “educators” shall mean teachers, group leaders, and administrative staff, including directors, assistant directors, program coordinators, education coordinators, curriculum specialists, and other staff that have responsibility for planning, caregiving, mentoring or training on-site in a child care center. Educators shall meet the education standards of a position as set forth in Rules .3211, .3213, .3214, .3215, .3216 and .3218 of this Section and work full-time. If a program operates less than forty hours per week, full-time shall mean the hours the program is in operation.

(c) When a child care facility is accredited by one of the following organizations, a three-star license may be issued based programmatic standards:

- (1) National Association for Family Child Care (NAFCC)
- (2) National Early Childhood Program Accreditation (NECPA)
- (3) American Montessori Society (AMS)
- (4) International Montessori Council (IMC)

(d) A child care facility accredited by one of the organizations listed in (c) of this Rule may increase its star rating to a four- star rated license, by requesting an evaluation of its education standards and be issued a four-star rated license if the following applicable standard is met:

- (1) For child care centers, at least fifty percent of lead teachers and at least fifty percent of educators shall meet the individual education standards at the four-star level, as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section or higher.
- (2) For a family child care home, the operator shall meet education standards at the four-star level, as set forth in Rule .3217 of this Section or higher.

(e) A child care facility accredited by one of the organizations listed in (c) of this Rule may increase its star rating to a five-star rated license, by requesting an evaluation of its education standards and be issued a five-star rated license if the following applicable standard is met:

- (1) For child care centers, at least fifty percent of all lead teachers and at least fifty percent of all other educators shall meet individual education standards at the five-star level, as set forth in Rules .3211, .3212, .3213, .3214, .3215, .3216 and .3218 of this Section or higher.
- (2) The operator of a family child care home shall meet education standards at the five-star level, as set forth in Rule .3217 of this Section or higher.

(f) When a child care facility is accredited by one of the following organizations, a five-star rated license may be issued based on educational and programmatic standards:

- (1) National Association for the Education of Young Children (NAEYC)
- (2) National Accreditation Commission for Early Care and Education Programs (NAC)

1 (3) Cognia, that includes early learning standards

2 (4) Cognia, that includes extended learning standards for school age care only programs

3 (g) When a child care facility is designated as Head Start or Early Head Start, a five-star rated license may be issued
4 based on educational and programmatic standards.

5 (h) Verification of accreditation status, Head Start designation or Early Head Start designation shall be maintained at
6 the child care facility at all times and be provided to the Division on request.

7 (i) Accredited, Head Start and Early Head Start facilities shall meet the staff/child ratio requirements of the
8 organization when required to obtain and maintain the accreditation or designation. If a facility may receive an
9 accreditation award or Head Start designation without adhering to the accreditation standards or Head Start
10 performance standards, the facility shall meet the organization's staff/child ratio standard or enhanced staff/child ratio
11 requirements specified in Rule .3208 of this Section.

12 (j) Accredited facilities, Head Start facilities and Early Head Start facilities are not required to meet additional
13 programmatic requirements described in this Section when in good standing with accreditation or performance
14 standards. Programmatic requirement topics include curriculum, continuous quality improvement, and family and
15 community engagement.

16 (k) For any child care center serving pre-school age children, the following shall also apply:

17 (1) Each child care center shall comply with the requirements set forth in Rule .0508 of this Chapter for
18 written activity schedules and plans and Rule .0509 of this Chapter for general activity requirements;

19 (2) Each child care center shall comply with the requirements for activity areas for preschool-age
20 children as set forth in Rule .0510 of this Chapter, except that all five of the activity areas listed in
21 G.S. 110-91(12) shall be available each day and the activities listed in Rule .0510(c) of this Chapter
22 shall be offered for each group of children at least once per week; and

23 (3) The requirements for activities for infants and toddlers set forth in Rule .0511 of this Chapter shall
24 apply for children under three years of age.

25 (l) For centers with a licensed capacity of 200 or more, there shall be a second administrator on-site for a minimum of
26 20 hours per week who shall have the Level I North Carolina Early Childhood Administration Credential or its
27 approved equivalent.

28 (m) For centers providing school-age care with two hundred or more school-age children enrolled, there shall be two
29 program coordinators on-site, one of whom shall not have concurrent group leader responsibilities. The additional
30 program coordinator shall have completed all the applicable staff requirements in Rule .2510(b) of this Chapter.

31
32 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2011-145, s.10.7(b) and (d); S.L.
33 2024-34; 42 USCS 9858e; 45 CFR 98.45;
34 Eff. July 1, 2025.

10A NCAC 09 .3208 is adopted as published in 39:15 NCR 1015-1016 as follows:

**10A NCAC 09 .3208 ENHANCED STAFF/CHILD RATIOS FOR A RATED LICENSE FOR CHILD
CARE CENTERS**

(a) This Rule shall apply to evaluating the staff/child ratios and maximum group sizes for rated license for child care centers.

(b) Enhanced staff/child ratio means that the center shall comply with the following staff/child ratios and maximum group sizes.

<u>Age</u>	<u>Ratio Staff/Children</u>	<u>Maximum Group Size</u>
<u>0 to 12 Months</u>	<u>1/5</u>	<u>10</u>
<u>1 to 2 Years</u>	<u>1/6</u>	<u>12</u>
<u>2 to 3 Years</u>	<u>1/9</u>	<u>18</u>
<u>3 to 4 Years</u>	<u>1/10</u>	<u>20</u>
<u>4 to 5 Years</u>	<u>1/13</u>	<u>25</u>
<u>5 to 6 Years</u>	<u>1/15</u>	<u>25</u>
<u>6 Years and Older</u>	<u>1/20</u>	<u>25</u>

(c) The provisions of rules 10A NCAC 09 .0713(a) through (e) shall apply in evaluating the staff/child ratios and maximum group sizes within this Rule.

(d) Enhanced staff/child ratios shall not apply to facilities who choose to use multi-age group staff child ratios as set forth in Rule .0713(f) of this Chapter.

(e) The staff/child ratio applicable to a classroom shall be posted in that classroom in an area that parents are able to view at all times.

*History Note: Authority G.S. 110-88(7); 143B-168.3; 42 USCS 9858e; 45 CFR 98.45;
Eff. July 1, 2025.*

10A NCAC 09 .3209 is adopted as published in 39:15 NCR 1016 as follows:

10A NCAC 09 .3209 **REDUCED, ENHANCED STAFF/CHILD RATIOS FOR A RATED LICENSE FOR CHILD CARE CENTERS**

(a) This Rule shall apply to evaluating the staff/child ratios and maximum group sizes for a rated license for child care centers.

(b) Enhanced staff/child ratio means that the center shall comply with the following staff/child ratios and maximum group sizes.

<u>Age</u>	<u>Ratio Staff/Children</u>	<u>Maximum Group Size</u>
<u>0 to 12 Months</u>	<u>1/4</u>	<u>8</u>
<u>1 to 2 Years</u>	<u>1/5</u>	<u>10</u>
<u>2 to 3 Years</u>	<u>1/8</u>	<u>16</u>
<u>3 to 4 Years</u>	<u>1/9</u>	<u>18</u>
<u>4 to 5 Years</u>	<u>1/12</u>	<u>24</u>
<u>5 to 6 Years</u>	<u>1/14</u>	<u>25</u>
<u>6 Years and Older</u>	<u>1/19</u>	<u>25</u>

(c) The provisions of rules 10A NCAC 09 .0713(a) through (e) shall apply in evaluating the staff/child ratios and maximum group sizes within this Rule.

(d) Reduced, enhanced staff/child ratios shall not apply to facilities who choose to use multi-age group staff/child ratios as set forth in Rule .0713(f) of this Chapter.

(e) The staff/child ratio applicable to a classroom shall be posted in that classroom in an area that parents are able to view at all times.

History Note: *Authority G.S. 110-88(7); 143B-168.3; 42 USCS 9858e; 45 CFR 98.45;*
Eff. July 1, 2025.

1 10A NCAC 09 .3210 is adopted as published in 39:15 NCR 1016 as follows:

2
3 **10A NCAC 09 .3210** **ENHANCED SPACE REQUIREMENTS FOR CHILD CARE CENTERS**

4 (a) There shall be at least 30 square feet inside space per child per the total licensed capacity and 100 square feet
5 outside space for each child using the outdoor learning environment at any one time.

6 (b) There shall be an area that can be arranged for administrative and private conference activities.

7
8 History Note: Authority G.S. 110-88(7); 143B-168.3; 42 USCS 9858e; 45 CFR 98.45;
9 Eff. July 1, 2025.

10A NCAC 09 .3211 is adopted as published in 39:15 NCR 1016-1018 as follows:

10A NCAC 09 .3211 **ENHANCED EDUCATION STANDARDS FOR CHILD CARE CENTER ON-SITE ADMINISTRATORS**

(a) This Rule shall apply when evaluating the education of an on-site administrator, as defined in G.S. 110-86(2a), in a child care center.

(b) A child care provider meets the two-star education standard for on-site administrators if the provider meets, at minimum, the requirements set forth in Option One or Option Two as follows:

(1) Option One:

- (A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher; and
- (B) Successful completion at least six semester hours in early childhood education or child development coursework at an accredited college or university; and
- (C) Annual completion of at least 1.0 continuing education credit in early childhood education and school-age related topics in addition to applicable requirements in Rule .1103 of this Chapter; and
- (D) If the center is licensed for school-age care, have at least three months licensed or unlicensed school-age care work experience or successful completion of BSAC training.

(2) Option Two:

- (A) Level I NC Childhood Administration Credential or its approved equivalent or higher; and
- (B) Have at least two years of early childhood education work experience or have at least one year of administrative work experience; and
- (C) If the center is licensed for school-age care, have at least three months licensed or unlicensed school-age care work experience or successful completion of BSAC training.

(c) A child care provider meets the three-star education standard for on-site administrators if the provider meets, at minimum, the requirements set forth in Option One or Option Two as follows:

(1) Option One:

- (A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher; and
- (B) Successful completion of at least 12 semester hours in early childhood education or child development coursework at an accredited college or university; and
- (C) Have at least one year of administrative work experience or, if the center is licensed for school-age care, have at least six months licensed or unlicensed school-age care work experience or, if the center is licensed for school-age care, successful completion of BSAC training.

(2) Option Two:

- (A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher; and

(B) Successful completion of a least six semester hours in early childhood education or child development coursework at an accredited college or university; and

(C) Have at least three years of early childhood education work experience or administrative work experience or a combination of both types of experience; and

(D) If the center is licensed for school-age care, have at least six months licensed or unlicensed school-age care work experience or successful completion of BSAC training.

(d) A child care provider meets the four-star education standard for on-site administrators if the provider meets, at minimum, the requirements set forth in Option One or Option Two as follows:

(1) Option One:

(A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher; and

(B) Successful completion of at least 12 semester hours in early childhood education or child development coursework at an accredited college or university; and

(C) Be enrolled in or have completed an associate or bachelor's degree program; and

(D) Have at least two years of early childhood education or administrative work experience or, if the center is licensed for school-age care, successful completion of BSAC training.

(2) Option Two:

(A) Level II NC Early Childhood Administration Credential or its approved equivalent or higher; and

(B) Be enrolled in or have completed an associate or bachelor's degree program; and

(C) Have at least two years of early childhood education work experience; and

(D) If the center is licensed for school-age care, have at least one year licensed or unlicensed school-age care work experience or successful completion of BSAC training.

(e) A child care provider meets the five-star education standard for on-site administrators if the provider meets, at minimum, the requirements set forth in Option One, Option Two, or Option Three as follows:

(1) Option One:

(A) Level II NC Early NC Early Childhood Administration Credential or its approved equivalent or higher; and

(B) Successful completion of at least 18 semester hours in early childhood education or child development coursework at an accredited college or university; and

(C) Be enrolled in or have completed a bachelor's degree program; and

(D) Have at least four years of work experience in early childhood education, administrative duties, or a combination of both types of experience; and

(E) If the center is licensed for school-age care, have at least two years licensed or unlicensed school-age care work experience or successful completion of BSAC training.

(2) Option Two:

- 1 (A) Level II NC Early childhood Administration Credential or its approved equivalent or
2 higher; and
- 3 (B) Successful completion of at least 18 semester hours in early childhood education or child
4 development coursework at an accredited college or university; and
- 5 (C) Be enrolled in or have completed a bachelor's degree program; and
- 6 (D) Have at least four years combined early childhood education and administrative work
7 experience; and
- 8 (E) If the center is licensed for school-age care, successful completion of BSAC training.
- 9 (3) Option Three:
- 10 (A) Level III NC Early Childhood Administration Credential or its approved equivalent; and
- 11 (B) Have at least three years of work experience in early childhood education, administrative
12 duties. Or a combination of both types of experience; and
- 13 (C) If the center is licensed for school-age care, have at least one year licensed or unlicensed
14 school-age care experience or successful completion of BSAC training.
- 15 (f) Semester hours in early childhood education or child development coursework required to meet the education
16 standards set forth in this Rule shall not include the coursework necessary for the North Carolina Early Childhood
17 Administration Credential (NCECAC).
- 18 (g) Completion of school-age experience requirements shall count toward meeting work experience requirements.
- 19 (h) For centers located in a residence, if an individual has responsibility both for administering the child care program
20 and for planning and implementing the daily activities of a group of children, the educational requirements for lead
21 teacher in Rule .3212 of this Section shall apply. All other teachers shall follow the educational requirements for
22 teachers in this Section.
- 23
- 24 History Note: Authority G.S. 110-85; 110-88(7); 110-90(4); 143B-18.3; S.L. 2023-40; S.L. 2024-34; USCS 9858e;
25 45 CFR 98.45;
26 Eff. July 1, 2025.

10A NCAC 09 .3212 is adopted as published in 39:15 NCR 1018-1019 as follows:

10A NCAC 09 .3212 ENHANCED EDUCATION STANDARDS FOR CHILD CARE CENTER LEAD TEACHERS

(a) This Rule shall apply when evaluating the education of a lead teacher, as defined by G.S. 110-86(5a), in a child care center.

(b) A child care provider meets the two-star education standard for lead teachers if the provider meets, at minimum, the requirements set forth in Option One, Option Two, or Option Three as follows:

(1) Option One: Completion of a Child Development Associate (CDA) that is active with no credit for prior learning.

(2) Option Two: Successful completion of at least three semester hours in early childhood education or child development coursework at an accredited college or university.

(3) Option Three:

(A) Have at least one year of early childhood education work experience; and

(B) Annual completion of at least 0.5 continuing education credit specific to the ages and needs of children in care, in addition to applicable requirements in Rule .1103 of this Chapter, or successful completion of a competency evaluation as set forth in Rule .3218 of this Section.

(c) A child care provider meets the three-star education standard for lead teachers if the provider meets, at minimum, the requirements set forth in Option One, Option Two, Option Three, or Option Four as follows:

(1) Option One: Completion of a Child Development Associate (CDA) that is active with credit for prior learning.

(2) Option Two: Successful completion of at least nine semester hours in early childhood education or child development coursework at an accredited college or university.

(3) Option Three:

(A) Successful completion of at least three semester hours in early childhood education or child development coursework at an accredited college or university; and

(B) Have at least three years of early childhood education work experience.

(4) Option Four:

(A) Have at least three years of early childhood education work experience; and

(B) Annual completion of at least 1.0 continuing education credit specific to the ages and needs of children in care, in addition to applicable requirements in Rule .1103 of this Chapter, or successful completion of a competency evaluation as set forth in Rule .3218 of this Section.

(d) A child care provider meets the four-star education standard for lead teachers if the provider meets, at minimum, the requirements set forth in Option One, Option Two, or Option Three as follows:

(1) Option One:

(A) Successful completion of at least 12 semester hours in early childhood education or child development coursework at an accredited college or university; and

(B) Have at least two years of early childhood work experience.

(2) Option Two: Completion of an Early Childhood Certificate.

(3) Option Three:

(A) Have at least five years of early childhood work experience;

(B) Annual completion of at least of at least 2.0 continuing education credits specific to the ages and needs of children in care, in addition to applicable requirements in Rule .1103 of this Chapter, or successful completion of a competency evaluation as set forth in Rule .3218 of this Section.

(e) A child care provider meets the five-star education standard for lead teachers if the provider meets, at minimum, the requirements set forth in Option One, Option Two, Option Three, Option Four, or Option Five as follows:

(1) Option One:

(A) Completion of an AAS degree or higher in early childhood education or child development; and

(B) Have at least one year early childhood work experience or at least six months of coaching/mentoring by a Level II or higher administrator for at least five hours per week. A coach/mentor shall be responsible for no more than two lead teachers who require coaching/mentoring at any given time.

(2) Option Two:

(A) Enrollment in an AAS degree program and successful completion of all required early childhood education coursework for an AAS degree program, without full completion of the degree; and

(B) Have at least one year of early childhood education work experience.

(3) Option Three:

(A) Successful completion of at least 60 semester hours toward a bachelor's degree at an accredited college or university with at least 12 semester hours in early childhood education or child development coursework; and

(B) Have at least two years of early childhood work experience.

(4) Option Four:

(A) Completion of an AAS degree or higher at an accredited college or university in any major with at least 12 semester hours in early childhood education or child development coursework; and

(B) Have at least two years of early childhood work experience or at least six months of coaching/mentoring by a Level II or higher administrator for at least five hours per week. A coach/mentor shall be responsible for no more than two lead teachers who require coaching/mentoring at any given time.

(5) Option Five:

(A) Have at least 10 years of early childhood work experience; and

1 (B) Annual completion of at least 2.5 continuing education credits specific to the ages and
2 needs of children in care, in addition to applicable requirements in Rule .1103 of this
3 Chapter; and

4 (C) Successful completion of a competency evaluation as set forth in Rule .3218 of this
5 Section.

6 (f) Semester hours in early childhood education or child development coursework required to meet the education
7 standards set forth in this Rule shall not include the coursework necessary for the North Carolina Early Childhood
8 Credential.

9
10 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L.2024-34; 42 USCS
11 9858e; 45 CFR 98.45;
12 Eff. July 1, 2025.

10A NCAC 09 .3213 is adopted as published in 39:15 NCR 1019-1020 as follows:

**10A NCAC 09 .3213 ENHANCED EDUCATION STANDARDS FOR CHILD CARE CENTER
TEACHERS**

(a) This Rule shall apply when evaluating the education of a teacher, defined in 10A NCAC 09 .0102(47), for a child care center.

(b) A child care provider meets the two-star education standard for teachers if the provider meets, at minimum, the requirements set forth in Option One or Option Two as follows:

(1) Option One: Be enrolled in at least three semester hours in early childhood education or child development coursework at an accredited college or university.

(2) Option Two: Have at least one year of early childhood work experience.

(c) A child care provider meets the three-star education standard for teachers if the provider meets, at minimum, the requirements set forth in Option One, Option Two, Option Three, or Option Four as follows:

(1) Option One: NC Early Childhood Credential or its approved equivalent.

(2) Option Two: Successful completion of at least three semester hours in early childhood education or child development coursework at an accredited college or university.

(3) Option Three: Have at least two years of early childhood work experience.

(4) Option Four:

(A) Have at least one year of early childhood work experience; and

(B) Annual completion of at least 0.5 continuing credit specific to the ages and needs of children in care, in addition to applicable requirements in Rule .1103 of this Chapter, or successful completion of a competency evaluation as set forth in Rule .3218 of this Section.

(d) A child care provider meets the four-star education standard for teachers if the provider meets, at minimum, the requirements set forth in Option One, Option Two, or Option Three as follows:

(1) Option One:

(A) NC Early Childhood Credential or its approved equivalent; and

(B) Successful completion of at least three semester hours in early childhood education or child development coursework at an accredited college or university; and

(C) Have at least one year of early childhood work experience.

(2) Option Two:

(A) Have at least two years of early childhood work experience; and

(B) Annual completion of at least 1.0 continuing education credit specific to the ages and needs of children in care, in addition to applicable requirements in Rule .1103 of this Chapter, or successful completion of a competency evaluation as set forth in Rule .3218 of this Section.

(3) Option Three: Completion of a Child Development Associate (CDA) that is active with no credit for prior learning

(e) A child care provider meets the five-star education standard for teachers if the provider meets, at minimum, the requirements set forth in Option One, Option Two, Option Three, or Option Four as follows:

(1) Option One:

(A) NC Early Childhood Credential or its approved equivalent; and

(B) Successful completion of at least six semester hours in early childhood education or child development coursework at an accredited college or university; and

(C) Have at least two years of early childhood work experience.

(2) Option Two:

(A) NC Early Childhood Credential or its approved equivalent; and

(B) Successful completion of at least three semester hours in early childhood education or child development coursework at an accredited college or university; and

(C) Annual completion of at least 1.5 continuing education credits specific to the ages and needs of children in care, in addition to applicable requirements in Rule .1103 of this Chapter; and

(D) Have at least two years of early childhood work experience.

(3) Option Three:

(A) NC Early Childhood Credential or its approved equivalent; and

(B) Annual completion of at least 1.5 continuing education credits specific to the ages and needs of children in care, in addition to applicable requirements in Rule .1103 of this Chapter; and

(C) Successful completion of a competency evaluation as set forth in Rule .3218 of this Section; and

(D) Have at least three years of early childhood work experience.

(4) Option Four: Completion of a Child Development Associate (CDA) that is active with credit for prior learning.

(f) Semester hours in early childhood education or child development coursework required to meet the standards set forth in this Rule shall not include the coursework necessary for the North Carolina Early Childhood Credential.

History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS 9858e; 45 CFR 98.45; Eff. July 1, 2025.

10A NCAC 09 .3214 is adopted as published in 39:15 NCR 1020-1021 as follows:

**10A NCAC 09 .3214 ENHANCED EDUCATION STANDARDS FOR PROGRAM COORDINATORS IN
CHILD CARE CENTERS THAT PROVIDE CARE FOR SCHOOL-AGE
CHILDREN**

(a) This Rule shall apply when evaluating the education of a program coordinator for a child care center that serves school-age children, as required by 10A NCAC 09 .2510(b).

(b) A child care provider meets the two-star education standard for program coordinators if the providers meets, at minimum, the requirements set forth in Option One or Option Two as follows:

(1) Option One: Be enrolled in at least three semester hours of school-age care coursework at an accredited college or university.

(2) Option Two: Have at least three months licensed school-age care experience or have at least six months unlicensed school-age care experience.

(c) A child care provider meets the three-star education standard for program coordinators if the provider meets, at minimum, the requirements set forth in Option One or Option Two as follows:

(1) Option One:

(A) Successful completion of at least three semester hours of school-age care coursework at an accredited college or university; and

(B) Have three months licensed school-age care experience or have six months unlicensed school-age care experience.

(2) Option Two: Have six months licensed school-age care experience or have nine months unlicensed school-age care experience.

(d) A child care provider meets the four-star education standard for program coordinators if the provider meets, at minimum, the requirements set forth in Option One, Option Two, or Option Three as follows:

(1) Option One:

(A) Successful completion of at least three semester hours of school-age care coursework at an accredited college or university; and

(B) Be enrolled in an additional three semester hours of school-age care coursework at an accredited college or university or have nine months licensed school-age care experience or have one year unlicensed school-age care experience.

(2) Option Two: Completion of an AAS degree in early childhood education, child development or school-age related field at an accredited college or university.

(3) Option Three:

(A) Completion of an AAS degree in any field at an accredited college or university; and

(B) Successful completion of three semester hours of school-age care coursework at an accredited college or university.

(e) A child care provider meets the five-star education standard for program coordinator if the provider meets, at minimum, the requirements set forth in Option One, Option Two, Option Three, or Option Four as follows:

(1) Option One: Completion of a bachelor's degree in early childhood, child development, or a school-age related field at an accredited college or university.

(2) Option Two:

(A) Completion of a bachelor's degree in any field at an accredited college or university; and

(B) Successful completion of six semester hours of school-age care coursework at an accredited college or university.

(3) Option Three:

(A) Successful completion of nine semester hours of school-age care coursework at an accredited college or university; and

(B) Have three months licensed school-age care experience or have six months unlicensed school-age care experience.

(4) Option Four:

(A) Successful completion of six semester hours of school-age care coursework at an accredited college or university; and

(B) Have six months licensed school-age care experience or have nine months unlicensed school-age care experience.

History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS 9858e; 45 CFR 98.45;
Eff. July 1, 2025.

10A NCAC 09 .3215 is adopted as published in 39:15 NCR 1021 as follows:

**10A NCAC 09 .3215 ENHANCED EDUCATION STANDARDS FOR GROUP LEADERS IN CHILD
CARE CENTERS**

(a) This Rule shall apply when evaluating the education of a group leader for a child care center, as required by 10A NCAC 09 .2510(c).

(b) A child care provider meets the two-star education standard for group leaders if the provider successfully completes BSAC training.

(c) A child care provider meets the three-star education standard for group leaders if the provider meets, at minimum, the following requirements:

(1) Successful completion of BSAC training; and

(2) Annual completion of at least 0.5 continuing education credits related to school-age care, in addition to applicable requirements in Rules .1103 and .2510 of this Chapter; or

(3) Has at least three months licensed or unlicensed school-age care experience.

(d) A child care provider meets the four-star education standard for group leaders if the provider meets, at minimum, the requirements set forth in Option One, Option Two, or Option Three as follows:

(1) Option One:

(A) Successful completion of BSAC training; and

(B) Annual completion of at least 1.0 continuing education credit related to school-age care, in addition to applicable requirements in Rules .1103 and .2510 of this Chapter.

(2) Option Two: Is currently enrolled in at least two semester hours of school-age care coursework at an accredited college or university if BSAC has not yet been completed as set forth in Rule .2510(j) of this Chapter.

(3) Option Three:

(A) Successful completion of BSAC training; and

(B) Have at least three months licensed or unlicensed school-age care experience.

(e) A child care provider meets the five-star education standard for group leaders if the provider meets, at minimum, the requirements set forth in Option One or Option Two as follows:

(1) Option One:

(A) Group leader is at least eighteen years of age; and

(B) Successful completion of BSAC training; and

(C) Be enrolled in or have successfully completed at least two semester hours of school-age care coursework at an accredited college or university; and

(D) Have at least six months licensed or unlicensed school-age care experience.

(2) Option Two:

(A) Group leader is at least eighteen years of age; and

(B) Successful completion of BSAC training; and

- 1 (C) Annual completion of at least 1.5 continuing education credits related to school-age care,
2 in addition to applicable requirements in Rules .1103 and .2510 of this Chapter; and
3 (D) Have at least nine months licensed or unlicensed school-age care experience.
4

5 *History Note:* Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS
6 9858e; 45 CFR 98.45;
7 Eff. July 1, 2025.

10A NCAC 09 .3216 is adopted as published in 39:15 NCR 1022 as follows:

**10A NCAC 09 .3216 ENHANCED EDUCATION STANDARDS FOR ADMINISTRATORS OF CHILD
CARE CENTERS THAT ONLY PROVIDE CARE FOR SCHOOL-AGE
CHILDREN**

(a) This Rule and not 10A NCAC 09 .3211 shall apply when evaluating the education of an administrator, as defined by G.S. 110-86(2a), for a child care center that only provides care to school-age children.

(b) A child care provider meets the two-star education standard for administrators if the provider meets, at minimum, the requirements set forth in Option One or Option Two as follows:

(1) Option One:

(A) Completed or be enrolled in coursework for the NC Early Childhood Administration Credential; and

(B) Have at least one year licensed or unlicensed school-age care experience.

(2) Option Two:

(A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher; and

(B) Have at least three months licensed or unlicensed school-age care experience.

(c) A child care provider meets the three-star education standard for administrators if the provider meets, at minimum, the requirements set forth in Option One or Option Two as follows:

(1) Option One:

(A) Level I NC Early Childhood Administration Credential or its approved equivalent or higher; and

(B) Have at least six months licensed or unlicensed school-age care experience.

(2) Option Two:

(A) Level I Nc Early Childhood Administration Credential or its approved equivalent or higher; and

(B) Have at least three months licensed or unlicensed school-age care experience; and

(C) Successful completion of BSAC training.

(d) A child care provider meets the four-star education standard for administrators if the provider meets, at minimum, the requirements set forth in Option One or Option Two as follows:

(1) Option One:

(A) Level I NC Early Childhood Administration credential or its approved equivalent or higher; and

(B) Have at least one year licensed and unlicensed school-age care experience.

(2) Option Two:

(A) Level II NC Early Childhood Administration Credential or its apprvied equivalent or higher; and

1 (B) Have at least six months licensed or unlicensed school-age care experience.

2 (e) A child care provider meets the five-star education standard for administrators if the provider meets, at minimum,
3 the requirements set forth in Option One or Option Two as follows:

4 (1) Option One:

5 (A) Level II NC Early Childhood Administration Credential or its approved equivalent or
6 higher; and

7 (B) Have at least one year experience licensed or unlicensed school-age care experience; and

8 (C) Successful completion of BSAC training.

9 (2) Option Two:

10 (A) Level III NC Early Childhood Administration Credential or its approved equivalent; and

11 (B) Have at least six months licensed school-age care experience or have eight months
12 unlicensed school-age care experience.

13
14 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS
15 9858e, 45CFR 98.45;
16 Eff. July 1, 2025.

10A NCAC 09 .3217 is adopted as published in 39:15 NCR 1022-2024 as follows:

10A NCAC 09 .3217 **ENHANCED EDUCATION STANDARDS FOR FAMILY CHILD CARE HOME OPERATORS**

(a) This Rule shall apply when evaluating the education of a family child care home operator.

(b) A child care provider meets the two-star education standard for a family child care home operator if the provider meets, at minimum, the requirements set forth in Option One, Option Two, Option Three, or Option Four as follows:

(1) Option One: Completion of a Child Development Associate (CDA) that is active with no credit for prior learning.

(2) Option Two: Successful completion of at least four semester hours in early childhood education or child development coursework at an accredited college or university.

(3) Option Three: NC Family Child Care Credential or its approved equivalent.

(4) Option Four:

(A) Have at least three years of early childhood work experience; and

(B) Annual completion of at least 0.5 continuing education credit specific to the ages and needs of children in care, in addition to applicable requirements in Rule .1703 of this Chapter; or successful completion of a competency evaluation as set forth in Rule .3218 of this Section.

(c) A child care provider meets the three-star education standard for a family child care home operator if the provider meets, at minimum, the requirements set forth in Option One, Option Two, or Option Three as follows:

(1) Option One: Completion of a Child Development Associate (CDA) that is active with credit for prior learning.

(2) Option Two:

(A) NC Family Child Care Credential or its approved equivalent; and

(B) Successful completion of at least six semester hours in early childhood education or child development coursework at an accredited college or university.

(3) Option Three:

(A) Have at least five years of early childhood work experience; and

(B) Annual completion of at least 1.0 continuing education credit specific to the ages and needs of children in care, in addition to applicable requirements in Rule .1703 of this Chapter; or successful completion of a competency evaluation as set forth in Rule .3218 of this Section.

(d) A child care provider meets the four-star education standard for a family child care home operator if the provider meets, at minimum, the requirements set forth in Option One, Option Two, Option Three, or Option Four as follows:

(1) Option One:

(A) NC Family Child Care Credential or its approved equivalent; and

(B) Successful completion of at least 12 semester hours in early childhood education or child development coursework at an accredited college or university; and

(C) Have at least one year early childhood work experience.

1 (2) Option Two:

2 (A) NC Family Child Care Credential or its approved equivalent; or

3 (B) Successful completion of at least 15 semester hours in early childhood education or child
4 development coursework at an accredited college or university; and

5 (C) Have at least one year early childhood work experience.

6 (3) Option Three: Completion of an Early Childhood Certificate.

7 (4) Option Four:

8 (A) Have at least eight years of early childhood work experience; and

9 (B) Annual completion of at least 1.5 continuing education credits specific to the ages and
10 needs of children in care, in addition to applicable requirements in Rule .1703 of this
11 Chapter; or successful completion of a competency evaluation as set forth in Rule .3218 of
12 this Section.

13 (e) A child care provider meets the five-star education standard for a family child care home operator if the provider
14 meets, at minimum, the requirements set forth in Option One, Option Two, Option Three, Option Four, or Option Five
15 as follows:

16 (1) Option One:

17 (A) Completion of an AAS degree in early childhood education or child development at an
18 accredited college or university; and

19 (B) Have at least eighteen months early childhood work experience.

20 (2) Option Two:

21 (A) Successful completion of all required early childhood education coursework for an AAS
22 degree program an individual is enrolled in at an accredited college or university, without
23 full completion of the degree; and

24 (B) Have at least three years of early childhood education work experience.

25 (3) Option Three:

26 (A) Completion of an AAS degree or higher in any major with at least 12 semester hours in
27 early childhood education or child development coursework at an accredited college or
28 university; and

29 (B) Have at least two years of early childhood work experience.

30 (4) Option Four:

31 (A) NC Family Child Crae Credential or its approved equivalent; and

32 (B) Successful completion of at least 18 semester hours in early childhood education or child
33 development coursework at an accredited college or university; and

34 (C) Have at least four years early childhood work experience.

35 (5) Option Five:

36 (A) Have at least 10 years of early childhood work experience; and

1 (B) Annual completion of at least 2.5 continuing education credits specific to the ages and
2 needs of children in care, in addition to applicable requirements in Rule.1703 of this
3 Chapter; and

4 (C) Successful completion of a competency evaluation as set forth in Rule .3218 of this
5 Section.

6 (f) Semester hours in early childhood education or child development coursework required to meet the standards set
7 forth in this Rule shall not include the coursework necessary for the North Carolina Family Child Care Credential.

8
9 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS
10 9858e; 45 CFR 98.45;
11 Eff. July 1, 2025.

10A NCAC 09 .3218 is adopted as published in 39:15 NCR 2024-2025 as follows:

10A NCAC 09 .3218 **COMPETENCY EVALUATIONS**

(a) This Rule shall apply to operators of a family child care home, lead teachers, and teachers that choose an education standard option in this Section that requires successful completion of a competency evaluation.

(b) Successful completion of a competency evaluation means that an individual has demonstrated the knowledge, skills, and abilities set forth in (c) of this Rule.

(c) Competency evaluations shall align with the developmental domains described in the North Carolina Foundations for Early Learning and Development and address an individual's knowledge, skills, and abilities to provide developmentally, linguistically, and culturally appropriate experiences and interactions that support children's development and learning by:

(1) supporting children's approaches to learning by providing engaging experiences and interactions that nurture:

- (A) curiosity, information-seeking, and eagerness;
- (B) play and imagination;
- (C) risk-taking, problem-solving, and flexibility; and
- (D) attentiveness, effort, and persistence.

(2) engaging in responsive, respectful interactions with each child and offering guidance that supports children's emotional and social development including:

- (A) developing a sense of self;
- (B) developing a sense of self with others; and
- (C) learning about feelings.

(3) providing developmentally appropriate learning opportunities to promote children's health and physical development including:

- (A) physical health and growth;
- (B) motor development;
- (C) self-care; and
- (D) safety awareness.

(4) facilitating verbal and non-verbal communication through back-and-forth exchanges and use developmentally appropriate, play-based experiences to promote language development and foundational emergent literary skills such as:

- (A) learning to communicate;
- (B) foundations for reading; and
- (C) foundations for writing.

(5) fostering children's cognitive development by providing experiences and interactions that support children's exploration, thinking, and knowledge of the world around them including:

- (A) construction of knowledge;

- (B) thinking and reasoning;
- (C) creative expression;
- (D) social connections;
- (E) mathematical thinking and expression; and
- (F) scientific exploration and knowledge.

(d) An initial competency evaluation shall be completed by individuals approved by the Division to perform the evaluation and shall include:

- (1) One in-person unannounced observation of the family child care home operator, lead teacher or teacher performing the duties of their position. The evaluator shall provide written notification to the individual requesting the competency evaluation regarding the unannounced observation to be conducted during operating hours; and
- (2) A review of documentation submitted by the family child care home operator, lead teacher or teacher that provides evidence of each applicable competency for their employment position, age range of children served, and education standards as set forth in this Rule. Evidence may include:
 - (A) sample activity plans written by the individual requesting a competency evaluation;
 - (B) anecdotal notes regarding how competencies are implemented;
 - (C) observation of the individual by a center administrator or other licensed family child care home operator;
 - (D) surveys or other type of feedback from families of children enrolled in the individual's classroom or family child care home;
 - (E) audio or video recordings of activities with permission from families of children who are participants;
 - (F) self-assessment of the classroom or program using a program assessment tool;
 - (G) performance-based evaluations; and
 - (H) participation in apprenticeships, technical assistance, coaching, or mentoring processes.

(e) The evaluator shall document the individual's competency evaluation using a form approved by the Division that includes all applicable competencies and documents how each competency was met or not met.

(f) If the evaluator determines that the provider meets the competencies set forth in (c) of this Rule, the provider will be notified in writing, and the successful completion determination shall be valid for a period of three years.

(g) To renew a competency evaluation determination, the provider shall submit updated evidence of each applicable competency for their employment position and education standards as set forth in (d)(2) of this Rule at least thirty days prior to expiration of the determination.

(h) If the evaluator determines that the provider does not meet the competencies in subsection (c) of this rule, the provider shall be notified in writing and have an opportunity to provide additional information within 30 days regarding the competency evaluation before a final decision is made by a different evaluator.

(i) When an individual does not meet the requirements for successful completion of the competency evaluation, whether or not they submit additional information for a record review, they may resubmit for a competency evaluation

1 six months after the letter notifying them of their unsuccessful evaluation is issued, or when the second review decision
2 is issued, whichever is later.

3 (j) Competency evaluation standards and forms may be found on the Division's website at
4 <http://ncchildcare.ncdhhs.gov/Provider/Provider-Documents-and-Forms>.

5
6 *History Note:* *Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2023-40; S.L. 2024-34; 42 USCS*
7 *9858e; 45 CFR 98.45;*
8 *Eff. July 1, 2025.*

10A NCAC 09 .3219 is adopted as published in 39:15 NCR 1025-1026 as follows:

10A NCAC 09 .3219 **FAMILY AND COMMUNITY ENGAGEMENT STANDARDS FOR CHILD CARE**
CENTERS

(a) The rule shall apply to child care centers that have earned a two through five-star rated license using the program assessment licensure pathway or the classroom and instructional quality licensure pathway in Rules .3203 and .3205 of this Section. A child care center that has earned a two through five-star rated license using the accreditation and Head Start licensure pathway in Rule .3207 of this Section shall comply with standards set forth by those organizations for family and community engagement.

(b) For a child care center to meet family and community engagement standards at the two-star level, the center administrator shall implement the following foundational practices:

(1) Provide communication from the center to families regarding program activities in a manner that is responsive to the needs of the families served, such as via text, email, and electronic applications, and considering language comprehension.

(2) Offer an annual family conference with teaching staff for the purpose of providing information to the family about their child. During the conference, families are offered an opportunity to set a goal(s) for their child. Conferences shall be conducted in a manner that is convenient for the family such as by telephone, virtually or in person.

(3) Offer annual opportunities for families to share cultural heritage in their child's classroom.

(4) Offer annual volunteer opportunities for families.

(5) Communicate with families regarding community resources and services that are available, upon request from the family or when a need is identified by a child's lead teacher.

(c) For a child care center to meet family and community engagement standards at the three-star level, the center administrator shall ensure that the child care facility meets the foundational practices as set forth in (b) of this Rule plus two additional family and community engagement options from separate categories set forth in (f)(1), (f)(2) and (f)(3) of this Rule. A single activity shall not be used to meet multiple requirements or categories of engagement.

(d) For a child care center to meet family and community engagement standards at the four-star level, the center administrator shall ensure that the child care facility meets the foundational practices set forth in (b) of this Rule plus three additional family and community engagement options, one from each category set forth in ((f)(1), (f)(2) and (f)(3) of this Rule. A single activity shall not be used to meet multiple requirements or categories of engagement.

(e) For a child care center to meet family and community engagement standards at the five-star level, the center administrator shall ensure that the child care facility meets the foundational practices set forth in (b) of this Rule plus four additional family and community engagement options, with at least one from each category set forth in (f)(1), (f)(2) and (f)(3) of this Rule. A single activity shall not be used to meet multiple requirements or categories of engagement.

(f) Categories of family and community engagement shall include the following:

(1) Communications Options:

1 (A) Two-way communication with families. “Two-way communication” means that the child care
2 center shares information with families about their child(ren) and that families may share
3 information with the child care center about their child(ren) in a manner that is available and
4 accessible to the family.

5 (B) A family resource area is accessible in the child care center that includes information regarding
6 community resources and services that assist families with knowledge, support, and advocacy for
7 their child in the languages of the children and families being served by the child care center.

8 (C) Family and teacher conferences are offered at least twice annually to discuss child needs and
9 progress towards individual goals and to receive feedback from families regarding their child(ren)’s
10 experiences at home and at the child care facility. During each conference, families are offered an
11 opportunity to set a goal(s) for their child. Conferences shall be conducted in a manner that is
12 convenient for the family such as by telephone, virtually or in person.

13 (D) The child care center offers families connection to local community services and resources on
14 at least a quarterly basis, such as via newsletters, email, text, electronic applications, community
15 resource websites, and in-person opportunities with local community services.

16 (2) Engagement and Leadership Options:

17 (A) The child care center has a structured, ongoing process to receive and review suggestions and
18 recommendations from families, including anonymously. The center administrator considers these
19 suggestions and recommendations for planning within the child care center.

20 (B) The child care center offers an enrollment orientation that includes an opportunity for families
21 and child(ren) to visit the assigned classroom and lead teacher prior to the first day of enrollment.

22 (C) The child care center offers at least two family events annually.

23 (D) The child care center offers a family event that is culturally responsive to the heritage and
24 practices of enrolled families at least once annually.

25 (E) The center administrator, the lead teacher, families and service providers shall collaboratively
26 plan to ensure children’s needs and goals are being addressed in the classroom, not only during
27 scheduled time with the service provider. Service providers include, but are not limited to,
28 speech therapists, occupational therapists, behavior specialists, physical therapists, and intervention
29 service specialists.

30 (F) The center administrator offers an annual evaluation or survey of the child care center to families,
31 including the option to reply anonymously. The center administrator considers these evaluations or
32 surveys for planning within the child care center.

33 (G) The center administrator has a plan for children’s transitions that is shared with families at the
34 time of enrollment. The transition plan shall include the child’s transition from home to enrollment
35 in the child care center, a child’s transition to a new classroom within the child care center, and a
36 child’s transition to another program, including Kindergarten. The center administrator provides
37 families the opportunity to provide feedback on transition plans to address the individual needs of

1 their child(ren).

2 (H) The child care center offers a family council, advisory board, or family representative role to
3 act as a liaison to the center administrator for responsive and reciprocal planning within the child
4 care center.

5 (3) Educational Opportunity Options:

6 (A) The center administrator offers at least one family event annually that includes an educational
7 opportunity for staff and families to learn together.

8 (B) The center administrator offers at least one educational opportunity annually for staff and
9 families that addresses a topic identified as a need for the program based on family feedback.

10 (C) The center administrator offers at least one educational opportunity annually for staff and
11 families that includes the participation of a local community resource.

12 (D) The center administrator offers at least one educational opportunity annually for staff and
13 families regarding one of the following topics:

14 (1) social emotional health;

15 (2) challenging behaviors; or

16 (3) culturally responsive practices.

17 (E) The center administrator provides supports that anticipate and remove barriers for families and
18 enable family involvement, at the child care facility, such as but not limited to, virtual options with
19 technology support, interpreter services, child appropriate activities, care for children during the
20 event, meals or snacks during events or providing materials for families to take home related to the
21 event.

22 (F) The center administrator provides paid planning time for lead teachers to prepare information
23 for family and teacher conferences, time to conduct the conferences and supports needed to conduct
24 conferences by telephone, virtually or in-person.

25 (g) Options set forth in Subparagraphs (f)(1)(C), (f)(2)(B), (f)(2)(C), and (f)(3)(A) shall be used to meet requirements
26 set forth in Rule .3010 of this Chapter regarding family engagement for NC Pre-K Programs.

27
28 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3;S.L. 2024-34; 42 USCS 9858c; 45
29 CFR 98.1; 45 CFR 98.16;
30 Eff. July 1, 2025.
31

10A NCAC 09 .3220 is adopted as published in 39:15 NCR 1026-1028 as follows:

10A NCAC 09 .3220 **FAMILY AND COMMUNITY ENGAGEMENT STANDARDS FOR FAMILY**
CHILD CARE HOME OPERATORS

(a) This rule shall apply to operators of a family child care home that have earned a two through five-star rated license using the program assessment licensure pathway or the classroom and instructional quality licensure pathway in Rules .3204 and .3206 of this Section. Operators of a family child care home that have earned a two through five-star rated license using the accreditation and Head Start licensure pathway in Rule .3207 of this Section shall comply with standards set forth by those organizations for family and community engagement.

(b) For a family child care home to meet family and community engagement standards for a two-star level, the operator shall implement the following foundational practices:

(1) Have a plan that will encourage family participation that shall be reviewed with the family on or before the child's first day of attendance. A copy of this plan shall be given to the family at the time of review. The plan shall include the following:

(A) a procedure for enrolling a child that encourages families to visit the family child care home prior to the first day of attendance;

(B) encouragement of family participation in the family child care home, including information regarding scheduled activities, sharing cultural heritage and volunteer opportunities;

(C) opportunities for the operator to meet with families to discuss their child's needs and progress and to exchange information about the family child care home;

(D) a procedure for families who need information or who have complaints about the family child care home.

(2) Provide communication to families regarding family child care home activities in a manner that is responsive to the needs of the families served, such as via text, email, and electronic applications, and considering language comprehension.

(3) Communicate with families regarding community resources and services that are available, upon request from the family or when a need is identified by the operator.

(c) For a family child care home to meet family and community engagement standards at the three-star level, the operator shall ensure implementation of foundational practices set forth in (b) of this Rule plus one additional family and community engagement option from the categories set forth in (f)(1), (f)(2) and (f)(3) of this Rule.

(d) For a family child care home to meet family and community engagement standards at the four-star level, the operator shall ensure implementation of foundational practices set forth in (b) of this Rule plus two additional family and community engagement options from separate categories set forth in (f)(1), (f)(2) and (f)(3) of this Rule. A single activity shall not be used to meet multiple requirements or categories of engagement.

(e) For a family child care home to meet family and community engagement standards at the five-star level, the operator shall ensure implementation of foundational practices set forth in (b) of this Rule plus three additional family and community engagement options, with at least one from each category set forth in (f)(1), (f)(2), and (f)(3) of this Rule. A single activity shall not be used to meet multiple requirements or categories of engagement.

1 (f) Categories of family and community engagement shall include the following:

2 (1) Communication Options:

3 (A) Two-way communication with families. “Two-way communication” means that the operator
4 shares information with families about their child(ren) and that the families may share information
5 with the operator about their child child(ren) in a manner that is available and is accessible for the
6 families in care.

7 (B) Resources for families are accessible in the family child care home that include information
8 regarding community resources and services that assist families with knowledge, support and
9 advocacy for their child in the languages of the children and families being served by the operator
10 of the family child care home.

11 (C) A family conference with the operator is offered at least twice annually to discuss child needs
12 and progress toward individual goals and to receive feedback from families regarding their
13 child(ren)’s experiences at home and at the family child care home. During the conference, families
14 are offered an opportunity to set a goal(s) for their child. Conferences shall be conducted in a
15 manner that is convenient for the family such as by telephone, virtually or in-person.

16 (D) The operator offers families connection to local community services and resources on at least a
17 quarterly basis, such as via newsletters, email, text, electronic applications, community resource
18 websites, and in-person opportunities with local community services.

19 (2) Engagement and Leadership Options:

20 (A) The operator has a structured, ongoing process to receive and review suggestions and
21 recommendations from families, including anonymously. The operator considers family feedback
22 for planning within the family child care home.

23 (B) The operator offers an enrollment orientation that includes an opportunity for families and
24 child(ren) to visit the family child care home prior to the first day of enrollment.

25 (C) The operator offers at least one family event annually, which may include activities that are
26 culturally responsive to the heritage and practices of enrolled families.

27 (D) The operator, families, and service providers shall collaboratively plan to ensure children’s
28 needs and goals are being addressed during their daily activities, not only during scheduled time
29 with the service provider. Service providers include, but are not limited to, speech therapists,
30 occupational therapists, behavior specialists, physical therapists, and intervention service
31 specialists.

32 (E) The operator offers an annual evaluation or survey to families, including the option to reply
33 anonymously. The operator considers family feedback for reciprocal planning within the family
34 child care home.

35 (F) The operator has a plan for children’s transitions that is shared with families at the time of
36 enrollment. The transition plan shall include a child’s transition from home to enrollment in the
37

1 family child care home and a child's transition to another program, including Kindergarten. The
2 operator provides families the opportunity to provide feedback on transition plans to address the
3 individual needs of their child(ren).

4 (G) The operator offers a family council, advisory board, or family representative role to act as a
5 liaison for responsive and reciprocal planning with the family child care home.

6 (3) Educational Opportunities Options:

7 (A) The operator communicates with families regarding at least one educational opportunity
8 annually where the operator and families learn together.

9 (B) The operator communicates with families regarding at least one educational opportunity
10 annually where the operator and families learn together about a topic identified as a need for the
11 family child care home based on family feedback.

12 (C) The operator communicates with families regarding at least one educational opportunity
13 annually hosted by a local community resource that the operator and families may attend together.

14 (D) The operator communicates with families regarding at least one educational opportunity
15 annually regarding the following topics:

16 (1) social emotional health;

17 (2) challenging behaviors; or

18 (3) culturally responsive practices.

19 (E) The operator provides supports that anticipate and remove barriers for families and enable family
20 involvement, at the family child care home, such as but not limited to, virtual options with
21 technology support, interpreter services, child appropriate activities, care for children during the
22 event, meals or snacks during the events or providing materials for families to take home related to
23 the event.

24
25 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2024-34; 42 USCS 9858c; 45
26 CFR 98.1; 45 CFR 98.16;
27 Eff. July 1, 2025.
28

10A NCAC 09 .3221 is adopted as published in 39:15 NCR 1028-1029 as follows:

10A NCAC 09 .3221 CONTINUOUS QUALITY IMPROVEMENT (CQI) STANDARDS

(a) This rule shall apply to child care facilities that have earned a two through five star rated license using the program assessment licensure pathway or the classroom and instructional quality licensure pathway in Rules .3203, .3204, .3205 and .3206 of this Section. Child care facilities that have earned a two through five star rated license using the accreditation and Head Start licensure pathway in Rule .3207 of this Section shall comply with standards set forth by those organizations for continuous quality improvement.

(b) Continuous Quality Improvement (CQI) means a process that individuals and facilities shall use to identify areas of growth and determine a path toward enhanced teaching, learning and practices to achieve better outcomes for children, staff, and programs. The CQI process builds over time, using established goals to support individuals and facilities in achieving and sustaining continual improvements.

(c) All administrators and other staff members with caregiving responsibilities on a routine schedule of at least once per week shall complete an individual continuous quality improvement plan. This shall also apply to operators of centers located in a residence, as described in Rule .0102 of this Chapter, and their employed staff members. Each individual continuous quality improvement plan shall be reviewed annually, accompany the professional development plan required in Rule .1104 of this Chapter, be maintained in the individual's personnel file, and include:

(1) Identification of the resources or supports needed by the individual to achieve the established goal(s) of the professional development plan, including but not limited to, the time estimated to achieve the goal and specific support needed from the operator to complete the goal;

(2) Documentation of the individual's efforts toward completion of the established goal(s), changes to the established goal and challenges experienced;

(3) Development of a new goal during the annual review if established goal is achieved or changed; and

(4) Documentation from the individual regarding how their progress or completion of a goal has enhanced their knowledge, skills, and abilities.

(d) The center administrator of a child care center shall also complete a continuous quality improvement plan that addresses programmatic goals. The programmatic continuous quality improvement plan shall be updated annually, maintained on file at the center, and include:

(1) Identification of at least one programmatic goal, the timeframe estimated to achieve the goal and the steps that will be taken by the center administrator to complete the goal;

(2) Documentation of the reason or source of need for each goal, such as sustaining programmatic achievements, feedback received from staff or families, or licensure pathway requirements;

(3) Identification of resources needed by the center administrator to achieve the programmatic goal, including but not limited to materials, technical assistance, participation of staff, or other items specific to the goal;

(4) Documentation of supports offered by the program to encourage longevity and retention of staff;

(5) Documentation of efforts toward completion of the established goal, changes to the established goal and challenges experienced; and

1 (6) Development of a new goal during the annual review if established goal is achieved or changed.

2 (e) The operator of a family child care home and any additional caregivers, as set forth in Rule .1729, shall complete
3 a continuous quality improvement plan that addresses professional goals. The continuous quality improvement plan
4 shall be updated annually, accompany the professional development plan required in Rule .1703(f) of this Chapter, be
5 maintained in the operators personnel file, and include:

6 (1) Identification of at least one professional goal, the timeframe estimated to achieve the goal, the resources
7 needed to achieve the goal, and the steps that will be taken by the operator to complete the goal;

8 (2) Documentation of the reason or source of need for the goal, such as sustaining programmatic
9 achievements, feedback received from families, or licensure pathway requirements;

10 (3) Documentation of efforts toward completion of the established goal, changes to the established goal and
11 challenges experienced;

12 (4) Development of a new goal during the annual review if the established goal is achieved or changed; and

13 (5) Documentation from the operator regarding how progress toward or completion of a goal has enhanced
14 their knowledge, skills, and abilities.

15 (f) Sample continuous quality improvement plan templates may be found on the Division's website at
16 <https://ncchildcare.ncdhhs.gov/Provider/Provider-Documents-and-Forms>. Another form may be used other than the
17 sample template provided by the Division as long as the form includes the information set forth in this Rule.

18
19 *History Note:* Authority G.S. 110-85(3); 11088(7); 110-90(4); 143B-168.3; S.L. 2024-34; 42 USCS 9858e; 45
20 CFR 98.45;
21 Eff. July 1, 2025.

1 **10A NCAC 09 .3222 is adopted as published in 39:15 NCR 1029-1030 as follows:**

2
3 **10A NCAC 09 .3222 MAINTAINING THE STAR RATING**

4 (a) A representative of the Division may make announced or unannounced visits to facilities to assess on-going
5 compliance with requirements of a star rating after it has been issued. When the division representative documents
6 violations with the standards that determine a rating, the representative shall take one or more of the following actions:

- 7 (1) advise the operator to submit written verification that the violation has been corrected;
8 (2) return to the facility for an unannounced visit at a later date to determine if compliance has been
9 achieved;
10 (3) require a program assessment be conducted pursuant to .3203 or .3204 of this Section, if applicable
11 to the licensure pathway;
12 (4) request verification of accreditation award status from the accrediting organization, if applicable to
13 the licensure pathway;
14 (5) request verification of Head Start designation from grantee, if applicable to the licensure pathway;
15 (6) require a complete assessment of requirements of the star rating issued to the facility;
16 (7) require that the star rating be reduced; or
17 (8) recommend administrative action in accordance with G.S. 110, Article 7 of this Chapter.

18 (b) If changes unrelated to employment occur at a facility that result in noncompliance with the standards in this
19 Section for the star rating issued, the operator shall correct the noncompliance within 30 days. If the operator does not
20 correct the noncompliance within 30 days, the operator shall notify the Division. Based upon the information obtained,
21 the Division shall take any of the actions described in paragraph (a) of this Rule.

22 (c) If employment-related changes occur at a facility that result in noncompliance with or failure to meet the standards
23 in the Section for the star rating issued, the operator shall correct the noncompliance within six months. If the operator
24 does not correct the noncompliance within six months, the operator shall notify the Division. Based upon the
25 information obtained, the Division shall take any of the actions described in Paragraph (a) of this Rule.

26 (d) Each child care facility licensed under this Section with a two through five-star rated license shall be reassessed
27 by the Division at least once every three years to ensure compliance with pathway requirements.

28 (e) The Division shall provide for one evaluation using an approved program assessment tool referenced in Rules
29 .3202 and .3204 of this Section, free of charge, once every three years when reassessing the ratings of operators that
30 select the program assessment licensure pathway.

31 (f) Notwithstanding the above, if a facility loses its accreditation or Head Start designation, it shall notify the Division
32 within 30 calendar days from the date of termination and submit an application at that time for a two through five-star
33 rated license that indicates the alternate licensure pathway selection. The operator of the child care facility shall have
34 a complete assessment conducted within six months from the date of termination or be reduced to one-star so long as
35 the requirements for a one-star rating described in G.S. 110-91 and this Chapter are met.

36 (g) Notwithstanding the above, if a facility allows its accreditation or Head Start designation to lapse or expire prior
37 to applying for a two through five- star rated license using an alternate licensure pathway, the license shall be reduced
38 to one-star so long as the requirements for a one-star rating described in G.S. 110-91 and this Chapter are met.

1 History Note: Authority G.S. 110-88(7); 110-90(4); 143B-168.3; 42 USCS 9858e; 45 CFR 98.45;
2 Eff. July 1, 2025.

1 **10A NCAC 09 .3223 is adopted as published in 39:15 NCR 1030 as follows:**

2
3 **10A NCAC 09 .3223 HOW AN OPERATOR MAY REQUEST OR APPEAL A CHANGE IN RATING**

4 (a) An operator may request a change in the star rating, including licensure pathway selection, by following the
5 procedures in Rule .3202 of this Section.

6 (b) After an initial four or five-star rating is issued, the Division shall provide one evaluation of program standards
7 using the program assessment tool referenced in Rules .3202 and .3204 of this Section during each three-year period
8 thereafter at no cost to the operator. An operator may have extra program assessments, as referenced in Rules .3203
9 and .3204 of this Section, performed at his or her own expense in addition to the free one performed by the Division.
10 The additional program assessments shall be completed by individuals approved by the Division to perform them.

11 (c) An operator may appeal the reduction of a star rating as provided in G.S. 110-94.

12
13 *History Note:* Authority G.S. 110-88(7); 110-90(4); 143B-168.3;
14 Eff. July 1, 2025.

10A NCAC 09 .3224 is adopted as published in 39:15 NCR 1030-1032 as follows:

10A NCAC 09 .3224 RECOGNITION OF QUALITY INITIATIVES

(a) A child care operator may choose to request one or more areas of recognition to accompany the issuance of a two through five-star rated license earned through compliance with any licensure pathway requirement of this Section. Quality initiatives shall not be used to earn a star rating. Verification of requirements for each recognition shall be reassessed at least every three years, at the time of reassessment for a two through five-star rated license.

(b) The Division shall issue recognition of quality initiatives upon verification of the requirements set forth in this Rule.

(c) An Education Recognition may be requested when at least one of the following requirements are met:

(1) 75 percent of teachers employed by a child care facility have earned an AAS degree or higher in early childhood education, child development or related field.

(2) 75 percent of lead teachers employed by a child care facility have earned a BA/BS degree or higher in early childhood education, child development, or related field.

(3) All lead teachers employed by a child care facility have earned an AAS degree or higher in early childhood education, child development or related field.

(4) The operator of a family child care home has earned a BS/BS degree in early childhood education, child development or related field.

(5) The operator of a family child care home has earned an AAS degree in early childhood education, child development or related field and is enrolled in a BA/BS degree program in early childhood education or child development.

(6) 75 percent of teachers employed by a child care facility have an active Child Development Associate (CDA).

(7) The operator of a child care facility participates in the T.E.A.C.H. program or other education initiative that supports employed staff that want to enroll in or who are enrolled in college coursework.

(8) 75 percent of lead teachers and educators, as defined in this Section, have an active certification in the NC Early Care and Education Professional Certification Scale at https://www.ncidp.org/documents/EEC_EDE_Scale.pdf.

(9) The operator of a family child care home has an active certification in the NC Early Care and Education Professional Certification Scale at https://www.ncidp.org/documents/EEC_ECE_Scale.pdf.

(d) A Professional Development Recognition may be requested when at least one of the following requirements is met:

(1) The operator of a family child care home completes 20 training hours annually, in addition to training hours required for their licensure level as set forth in this Section and in addition to ongoing training requirements set forth in Rule .1703 of this Chapter and education requirements set forth in Rule .3217 of this Section.

(2) The operator of a family child care home is an approved trainer for an established course as set forth in Rule .1703 of this Chapter and provides at least one training course for early childhood professionals in their

1 community annually or when the operator develops a training course, obtains approval for training as set
2 forth in Rule .1703 of this Chapter, and provides at least one training course for early childhood professionals
3 in their community annually.

4 (3) A center administrator or operator of a family child care home provides evidence of active membership
5 in a professional or community organization.

6 (4) A child care facility operator compensates staff members for time spent completing professional
7 development activities.

8 (5) A child care facility operator compensates staff members for the cost of professional development
9 activities.

10 (6) A child care center operator pays for at least 50 percent of staff members to have an active membership
11 in a professional or community organization and provides evidence of the paid costs and memberships.

12 (7) A child care center operator employs at least one staff member who is an approved trainer for an
13 established training course as set forth in Rule .1103 of this Chapter and the approved trainer provides at
14 least one training course for all employees annually or when the child care center operator, administrator or
15 staff member develops a training course, obtains approval for training as set forth in Rule .1103 of this
16 Chapter, and provides at least one training course annually for employed staff members.

17 (8) A child care facility allows early childhood education practicum students to complete required activities
18 in their facility when the individuals are not employed by the facility.

19 (e) A Longevity and Experience Recognition may be requested when at least one of the following requirements is
20 met:

21 (1) The operator of a family child care home has been in operation for at least five years with a compliance
22 history score of 90 percent or higher.

23 (2) The operator of the family child care home has been in operation for at least five years with a four or five-
24 star rated license.

25 (3) A center administrator has at least 10 years of child care administrative work experience in a licensed
26 child care facility.

27 (4) 75 percent of lead teachers and teachers have at least 10 years of early childhood work experience in a
28 licensed child care facility.

29 (5) All lead teachers and teachers have at least five years of early childhood work experience in a licensed
30 child care facility and have been employed by no more than two different child care facilities.

31 (6) The child care center has a combined turnover rate of 20 percent or less for the administrator, lead teacher
32 and teacher positions over the last 12 months.

33 (7) In stand-alone school age care facilities, 75 percent of group leaders have at least five years of school age
34 care work experience in a licensed or unlicensed school age program and have been employed by no
35 more than two different child care facilities.

36 (f) A Staff Supports and Benefits Recognition may be requested when at least one of the following requirements is
37 met:

1 (1) A child care facility offers a staff benefits package that includes at least three of the following benefits:
2 paid time off for vacation, sick and/or personal leave, paid family and medical leave, fully or partially paid
3 health insurance, retirement contribution or annual bonuses.

4 (2) A child care facility offers two hours of paid planning time for lead teachers on a weekly basis, during a
5 time when the lead teacher is not responsible for supervising children.

6 (3) A child care facility offers at least two mental health supports such as training offered on-site, paid time
7 off for wellness, mental health coverage as part of health benefits or assistance in obtaining access to other
8 services as requested.

9 (4) A child care center pays for costs associated with enrolling in and completing early childhood education
10 or child development coursework.

11 (g) A Program Features Recognition may be requested when at least one of the following requirements is met:

12 (1) A child care facility implements an approved curriculum for all age groups served as defined in Rule
13 .0102(11) of this Chapter when not required for licensure level or pathway.

14 (2) A child care facility uses a program assessment tool for self-study, self-assessment and continuous quality
15 improvement when not required for licensure level or pathway.

16 (3) A child care center earns a 5.0 on every classroom assessed with ERS-3 and SACERS-U.

17 (4) A child care facility uses an approved formative assessment tool for all age groups served as defined in
18 Rules .3205 or .3206 of this Section when not required for licensure level or pathway.

19 (5) A child care facility implements all family and community engagement practices as set forth in Rules
20 .3219 and .3220 of this Section, rather than only the practices required for licensure level or pathway.

21 (6) A child care administrator or operator of a family child care home participates in a coaching or mentoring
22 process as set forth in Rules .3205 and .3206 of this Section when not required for licensure level or pathway.

23 (h) A Health & Wellness Opportunities Recognition may be requested when at least one of the following requirements
24 is met:

25 (1) A child care facility provides support to staff members and families regarding challenging behaviors using
26 community, regional or state resources.

27 (2) A child care center has a licensed or registered nurse on staff for at least half of the operating hours of the
28 program.

29 (3) A child care facility offers oral health education and opportunities such as dental screenings and outreach
30 with community, regional and state resources.

31 (4) A child care facility offers supplemental programs or contracts with external vendors to provide
32 opportunities for growth in specialty areas, including but not limited to tumbling, art, bookmobile, sports,
33 dance, music or yoga.

34 (5) A child care facility completes REACH Healthy Child Care recognition. Information for this program is
35 Available at <https://reach-recognition.org/>.

36 (6) A child care facility completes Be Active Kids/Go NAPSACC Program. Information for this program is
37 available at <https://www.beactivekids.org/>.

- 1 (7) A child care facility participates in Farm to Early Education. Information for this program is available at
2 <https://cefs.ncsu.edu/food-system-initiatives/nc-farm-to-early-care-and-education/>.
- 3 (8) A child care facility engages with a Child Care Health Consultant by participating in one cycle of
4 assessments using the NC Health and Safety Assessment Tool annually.
- 5 (9) A child care facility implements five of six of the following educational opportunities regarding green
6 environment practices:
- 7 (A) Provides outdoor learning environments that have areas of shade provided by trees that use heat
8 tolerant /drought resistant plant material.
- 9 (B) Provides an indoor play space allowing gross motor play, running, jumping and physically active
10 games in an air conditioned/heated environment.
- 11 (C) Paints walkways and pavement in heat reflecting colors in an effort to decrease surface
12 temperatures and associated burn hazards.
- 13 (D) Ensure use of non-toxic cleaning products throughout the facility
- 14 (E) Creates and maintains a pollinator and/or a vegetable garden as a method to educate and
15 emphasize ecofriendly change and lifestyle.
- 16 (F) Implement teaching practices that support reducing and recycling such as ensuring use of
17 recyclable products when reusable products are unavailable, providing reusable food service
18 products for meals and/or snacks, and installing a system of recycling in the facility where trash
19 and recyclables are in separate containers and disposed of properly.
- 20 (i) A Language Concentration Recognition may be requested when at least one of the following requirements is met:
- 21 (1) Children enrolled in a child care facility are participating in use of languages other than English on a
22 regular basis.
- 23 (2) A child care facility is a language immersion program.
- 24 (3) A child care facility is a bilingual program.
- 25 (j) A Culinary Emphasis Recognition may be requested when at least one of the following requirements is met:
- 26 (1) An operator of a family child care home has completed a food handler program training or certification,
27 such as ServSafe.
- 28 (2) A chef or cook position at a child care center has completed culinary classes or has completed food
29 handler program training or certification, such as ServSafe.
- 30 (3) A child care facility utilizes farm-to-table practices as part of their food and nutrition program.
- 31 (k) A Ratio, Group Size, and Enrollment Practices Recognition may be requested when at least one of the following
32 requirements is met:
- 33 (1) A child care center reduces staff to child ratios or group sizes when not required for licensure level or
34 pathway.
- 35 (2) An operator of a family child care home voluntarily reduces enrollment when not required for licensure
36 level or pathway.

1 (l) A Supplemental Environments Recognition may be requested when at least one of the following areas are provided
2 within a child care center or family child care home: gyms, active play area, sensory focused environments, gardens
3 or naturalized outdoor play environments.

4 (m) A NC Breastfeeding-Friendly Child Care Designation Program Recognition may be requested when this
5 designation is earned by meeting program requirements set forth at <https://www.ncdhhs.gov/ncbfccdesignation>.

6 (n) A Military Child Care in Your Neighborhood – PLUS Recognition may be requested by child care facilities
7 participating in the free assistance program for military families. Information for this program is available at
8 <https://ncchildcare.ncdhhs.gov/Provider?Child-Care-Fee-Assistance-for-Military-Families>.

9
10 History Note: Authority G.S. 110-85(3); 110-88(7); 110-90(4); 143B-168.3; S.L. 2024-34; 42 USCS 9858e; 45
11 CFR 98.45;
12 Eff. July 1, 2025.

1 **10A NCAC 09 .3225 is adopted as published in 39:15 NCR 1032-1033 as follows:**

2
3 **10A NCAC 09 .3225 ACCREDITING ORGANIZATIONS AND STAR RATING EQUIVALENCY**

4 (a) The Commission shall reassess an accreditation's star-rating equivalency, as set forth in Rule .3207 of this Section,
5 if the standard for earning the accreditation is revised and may increase or decrease the accreditation's star rating
6 equivalency based on the assessment in its discretion.

7 (b) The Commission may approve additional accreditations from national early childhood education accreditation
8 organizations and determine their star-rating equivalency upon request by the accrediting organization.

9 (c) Reassessments and assessments described in (a) and (b) of this Rule shall be based on educational and
10 programmatic standards of the accrediting organization and how they compare to or exceed the requirements of this
11 Section.

12
13 *History Note:* Authority S.L. 2024-34; 42 USCS 9858e; 45 CFR 98.45;
14 Eff. July 1, 2025.

1 **10A NCAC 09 .3226 is adopted as published in 39:15 NCR 1033 as follows:**

2
3 **10A NCAC 09 .3226 APPROVAL OF FORMATIVE ASSESSMENTS**

4 (a) The Commission may approve formative assessments to support implementation of classroom and instructional
5 quality licensure requirements set forth in Rules .3205 and .3206 of this Section upon request.

6 (b) The Commission shall approve formative assessments that meet the following criteria:

7 (1) the formative assessment aligns with the developmental domains described in the North Carolina
8 Foundations for Early Learning and Development;

9 (2) the formative assessment is research based;

10 (3) the formative assessment has been developed and validated for the intended population;

11 (4) the formative assessment requires collection of information in a variety of ways such as observances of
12 children during daily routines, play and group activities; teacher documentation of children's activities,
13 experiences at work; collaboration with families; and communication with service providers when
14 applicable; and

15 (5) the formative assessment promotes documentation of children's development and progress in a way that
16 is sensitive and responsive to the needs of all children from culturally, linguistically, economically, and
17 ability diverse backgrounds.

18 Information regarding approved formative assessments may be found on the Divisions website at
19 <https://ncchildcare.ncdhhs.gov/Services/Licensing/Star-Rated-License/Curriculum>.

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21 *History Note: Authority S.L. 2024-34;42 USCS 9858e; 45 CFR 98.45;*
22 *Eff. July1, 2025.*
23