

NC Child Care Commission - Update on Rules Review Process*

March 13, 2015

During the 2013 legislative session, the NC General Assembly passed [House Bill 74, The Periodic Review and Expiration of Rules](#) bill that requires the Rules Review Commission (RRC) to review all of the state's administrative rules. To do this, the RRC has charged each state agency with completing a review of all of their rules according to a certain time schedule.

For early care and education, the Division of Child Development and Early Education (DCDEE), along with the [NC Child Care Commission](#) must review all child care rules. However, the [NC Social Services Commission](#) is responsible for reviewing all of the child care subsidy rules, and the Health Services Commission will review all of the child care sanitation rules. Subsidy and sanitation are on a later timeline to begin their review.

Phase One:

- The Commission has completed its first review of rules and categorized them as required as either: 1) Necessary with substantive public impact, 2) Necessary but without substantive public impact, or 3) Unnecessary. Most fell within the Necessary with substantive public impact category.
- This report has been submitted to Rules Review Committee and Office of Administrative Hearing.
- RRC/APO has 60 days to approve Commission Report. This approval is expected in May.

Phase Two:

- Commission begins the process of readopting all rules deemed necessary.
- Commission must file "notice of intent to readopt" and publish a list of rules to be readopted.
- Any rule with substantive changes needs to have the following process prior to re-adoption:
 - Fiscal note impact completed by DCDEE and Budget Office
 - Publish the text of the proposed rule change
 - Commission holds a public hearing, takes public comment
 - Commission holds a regular meeting and makes any adjustments and votes to adopt the rule.

Commission current action on rules

December 8, 2014

The Commission decided to start its own rule review process now and will review rules in blocks by categories at subsequent meetings. While language for each rule will be discussed and revised as needed, no votes will take place nor comments/public hearings received from the public until the entire set of rules are completed. Finishing one rule topic at a meeting does not preclude the Commission from revisiting that topic in subsequent meetings. While they have added additional meetings during the year, it is anticipated that this rule by rule, line by line, review could take multiple years to complete.

*Adapted from a resource created by the NC Child Care Coalition

January 12, 2015

The Commission began work on the first set of rules related to Prelicensing, Building Code Requirements and Types of Visits. They worked through making clarifying and grammatical changes mainly.

February 9, 2015

Regular quarterly meeting. No work done on the rules review process

March 16, 2015 and April 20, 2015

Upcoming specially called meetings to work on rule review process.

Rule Groupings

The Commission had developed new groupings of rules that they were using for their discussion. Listed below is the initial list that was developed. This is subject to change.

- **Staff qualifications, CRC:** .0701 -0711 + 2700 (consider putting education points for stars from 2800 here)
- **Ratios, space, group size, environment, discipline:** 0500 + 0712 – 0714 + 1400 +1800
- **Stars:** 2800
- **Safety, transportation:** 0600 + 1000
- **Health and nutrition:** 0800 +0900
- **Abuse/neglect investigations:** 1900
- **Special programs** (developmental day, religious sponsored programs, mildly ill, school age,: 2100 + 2400+ 2900 + 2500
- **Family child care – 1700**

If you do not receive information on Child Care Commission meetings you can sign up by sending an email to dedra.alston@dhhs.nc.gov .

We will continue to provide you with updates as the process moves forward and recommend you use this information to keep providers in your area informed of the status of changes. This will be there opportunity to provide input in to the rules that impact their programs, children and families on a daily basis.