

Summary of Rule Changes Effective October 1, 2017 Family Child Care Homes

The NC Child Care Commission has adopted rules effective October 1, 2017. Many of these rule changes are a result of the [CCDF Reauthorization and related federal requirements](#) and the [NC Periodic Review of Existing Rules](#). Refer to the [Child Care Rulebook](#) for complete rule text and take time to familiarize yourself with the rule changes. Minor changes such as technical wording, re-organization of rules, and descriptions to clarify existing text were added throughout the rules. A summary of the main changes follows.

Definitions:

- Biocontaminant – Revised to mean blood, bodily fluids, or excretions that may spread infectious disease. Another option added to allow disposal of biocontaminants in a covered, plastic lined receptacle. [Rule .0102(5) and .1719]
- Child care provider – Revised to include uncompensated and substitute providers. [Rule .0102(8)]
- Family child care home – Means a child care arrangement located in a residence where, at any one time, more than two children, but less than nine children, receive child care. Family child care home operators must reside at the location of the family child care home (FCCH). [Rule .0102(18)]
- Infant – Means any child from birth through 12 months of age. [Rule .0102(24)]
- Staff or staff member – Means child care providers, substitute providers, and uncompensated providers. Does not include volunteers. [Rule .0102(44)]
- Toddler – Means any child ages 13 months to 3 years of age. [Rule .0102(48)]
- Premises – Means the entire child care building and grounds including natural areas, outbuildings, vehicles, parking lots, etc. and other structures located on the property. [Rule .0102(37)]

Licensure Requirements:

- Pre-licensing workshop – Prior to the issuance of a license, a new family child care operator must complete a pre-licensing workshop offered by DCDEE. This applies to prospective operators. [Rule .1708(a)]
- License – Only one licensed FCCH can operate at the location address of the home. A 6-month temporary license will be issued to a new family child care home. At the end of the first 6 months, a 1 to 5 star rated license will be issued. [Rule .1702]
- Relocation – Operator must notify DCDEE no later than 30 calendar days prior to relocation of a family child care home. The operator requesting relocation may not operate until he/she has received a license for the new location. [Rule .1702 (d)]
- Building requirements – Children should be cared for in space designated as the caregiving area on a floor plan provided by the operator. Changes to the designated caregiving space must be submitted to DCDEE 30 days prior to the new space being used by children. [Rule .1707(7)]
- Inspections - Requirements added to outline when the entire premises of a home may be inspected. [Rule .1709(b) (1-6)]
- Records – Rules added to specify what information is required to be on file and how records should be maintained. Allows records to be maintained in a paper or electronic format. [Rule .1721]

Developmentally appropriate activities:

- Prohibited discipline – Additional items included in the list of prohibited discipline practices such as, physical activity cannot be withheld or required as punishment; a child should not be yelled at, shamed, threatened, etc. [Rule .1722]
- Screen Time – Must be offered to stimulate a developmental domain in accordance with NC Foundations for Early Learning and Development; limited to a maximum of 30 minutes per day and no more than a total of two and a half hours per week per child; and documented on a cumulative log or activity plan. Prohibited for children under age 3. [Rule .1718(b) (1-3) and (c)]
- Caregiver interactions – Responding to the physical and emotional needs of infants and toddlers. Recognizing special difficulties of infant and toddler separations and assisting with transitions from home to child care. [Rule .1704]
- Developmental appropriate activities – Must be planned on a written schedule and activity plan. The schedule and activity plan may be combined as one document. Must include activities intended to stimulate five developmental domains as referenced in NC Foundations for Early Learning and Development. Reflect that children have at least four different activities daily. Other materials and opportunities must be offered weekly. [Rule .1718 (7), (8) and (10)]

Safety:

- Requirements for a safe indoor and outdoor environment – Designated emergency medication may be stored out of reach of children at least 5 feet high, but are not required to be locked. Jump ropes and rubber bands cannot be accessible to children under 5 without adult supervision. Balloons prohibited for all ages. Addition of safety requirements to prevent entrapment and injury hazards. [.1719(a)(5), (19) & (23)]

Summary of Rule Changes Effective October 1, 2017 Family Child Care Homes

- Transportation – A First Aid kit and fire extinguisher must be in vehicles used for transporting children. Includes specification for the tire treads of less than 2/32 of an inch. Vehicles used to transport children in snow or ice should be equipped with snow tires or chains. Includes specific requirements when transporting children during off-premise activities. For each child being transported, identifying information, including the child's name, photograph, emergency contact information and emergency medical care information must be in the vehicle. [Rule .1723]
- Safe sleep practices – Revisions to the safe sleep policy to include no wedges or other positioners, pillow-like toys, bumper pads, quilts, loose bedding, towels, wash cloths, and other objects being allowed in the sleep space. Prohibiting swaddling of infants. Pacifiers attached to infant clothing not allowed in the sleep space. Prohibiting infants from sleeping in sitting devices (car seats/swings/strollers) and infants that fall asleep in a sitting device must be moved to appropriate sleep space. Visually checking a sleeping infant at least every 15 minutes. [Rule .1724]
- Overnight care - A bed, cot, or crib, with a firm waterproof mattress at least 4 inches thick required for overnight care. The top bunk of a bunk bed can be used by school-aged children only. [Rule .1728]
- Outdoor learning environment – Ensure a shaded area is available to children. The shade may be provided by a building, awnings, trees, or other methods. [Rule .1719(a)(25)]
- Incident reporting - An incident report must be completed each time a child is injured or when a child receives medical treatment as a result of an incident occurring while the child is in care. The report must be signed by the parent and maintained on file. When medical treatment is required, an operator will continue to send a copy of the report to a DCDEE representative within 7 calendar days. [Rule .1721 (e)(3)]
- First Aid information sheet – A First Aid information sheet must be posted in a place for referral. An information sheet may be requested free of charge from the NC Child Care Health and Safety Resource Center at 1-800-367-2229. [Rule .1719(a)(14)]
- Emergency medical care – Must have written plan that includes steps and procedures to follow in the event of a child medical emergency. [Rule .1713]

Health:

- Smoking and tobacco restriction – Children must be in a smoke free and tobacco free environment during operating hours, on vehicles used to transport children, and during off premise activities. Parent must be notified, in writing, of the smoking and tobacco restriction. Tobacco products must be kept in locked storage. [Rule .1719]
- Medication - Fluoridated toothpaste added as an option for a parent to give standing authorization for up to 12 months. Requirements to follow if medication is given to a child in error. [Rule .1720(b)]
- Nutrition – Meals and snacks must be planned according to the number of hours a child is in care. Milk requirements were revised to match USDA, which allows flavored skim milk for children 6 years and older. Addition of some food preparation requirements regarding bottle warming and labeling. Role model appropriate eating behaviors by consuming only food or beverages that meet the nutritional requirements in the meal patterns for children in child care. Children's special diets or food allergies must be posted in the food preparation area and in the child's eating area. [Rule .1706]
- Animals – When animals are on the premises, animal cages must be kept free of animal waste. [Rule .1719(b)(2)]

Continuing Education and Professional Development:

- Orientation – Requires at least 16 hours of orientation with any caregivers, including substitutes providers and volunteers who are providing care prior to an individual caring for children. [Rule .1729(c)]
- Health and safety training – Clarifying the required health and safety training must be completed by the family child care home operator and staff within the first year of employment. Exemptions requirements for substitutes and service staff such as speech therapists. [Rule .1703(a)(b)(c)]
- On-going training – The family child care home operator and staff will complete 5 to 20 on-going training hours in the second year of employment (after completion of health and safety training in the first year). Training hours are determined based on the individual's education and experience. On-going training should cover all health and safety topics within a 5-year period. CPR and First Aid trainings do not count toward required on-going training hours. [Rule .1703 (d)]
- Professional development – Professional development plans required for all staff. Must be developed within one year of employment and reviewed annually. [Rule .1703(f)]