

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019

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HOUSE BILL 882
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Short Title: Early Childhood Recommendations/DHHS. (Public)

Sponsors: Representatives Dobson, Black, Horn, and Russell (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Health, if favorable, Rules, Calendar, and Operations of the House

April 22, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO ENHANCE THE EARLY CHILDHOOD WORKFORCE.
3 The General Assembly of North Carolina enacts:

4 **SECTION 1.(a)** G.S. 110-91(8) reads as rewritten:

5 "(8) Qualifications for Staff. – All child care center administrators shall be at least
6 21 years of age. All child care center administrators shall have the North
7 Carolina Early Childhood Administration Credential or its equivalent as
8 determined by the Department. All child care administrators performing
9 administrative duties as of the date this act becomes law and child care
10 administrators who assume administrative duties at any time after this act
11 becomes law and until September 1, 1998, shall obtain the required credential
12 by September 1, 2000. Child care administrators who assume administrative
13 duties after September 1, 1998, shall begin working toward the completion of
14 the North Carolina Early Childhood Administration Credential or its
15 equivalent within six months after assuming administrative duties and shall
16 complete the credential or its equivalent within two years after beginning work
17 to complete the credential. Each child care center shall be under the direction
18 or supervision of a person meeting these requirements. All staff counted
19 toward meeting the required staff-child ratio shall be at least 16 years of age,
20 provided that persons younger than 18 years of age work under the direct
21 supervision of a credentialed staff person who is at least 21 years of age. All
22 lead teachers in a child care center shall have at least a North Carolina ~~Early
23 Childhood Credential~~ Infant-Toddler Certificate or Preschool Certificate or its
24 equivalent as determined by the Department. ~~Lead teachers shall be enrolled
25 in the North Carolina Early Childhood Credential coursework or its equivalent
26 as determined by the Department within six months after becoming employed
27 as a lead teacher or within six months after this act becomes law, whichever
28 is later, and shall complete the credential or its equivalent within 18 months
29 after enrollment.~~ Lead teachers employed as of January 1, 2020, shall have
30 until July 1, 2021, to receive the Certificate or its equivalent. Lead teachers
31 hired after January 1, 2020, shall have earned the North Carolina Early
32 Childhood Credential before being hired and shall earn the North Carolina
33 Infant-Toddler Certificate or Preschool Certificate, or its equivalent, as
34 determined by the Department, within 18 months after being hired.



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1 For child care centers licensed to care for 200 or more children, the
 2 Department, in collaboration with the North Carolina Institute for Early
 3 Childhood Professional Development, shall establish categories to recognize
 4 the levels of education achieved by child care center administrators and
 5 teachers who perform administrative functions. The Department shall use
 6 these categories to establish appropriate staffing based on the size of the center
 7 and the individual staff responsibilities.

8 Effective January 1, ~~1998, 2020,~~ an operator of a licensed family child
 9 care home shall be at least 21 years old and have a ~~high school diploma or its~~
 10 ~~equivalent.~~ North Carolina Early Childhood Credential before receiving a
 11 license and shall earn a North Carolina Infant-Toddler or Preschool
 12 Certificate, or its equivalent, as determined by the Department, within 18
 13 months of receiving a license. Operators of a family child care home licensed
 14 before January 1, 2020, shall have until July 1, 2021, to receive the Certificate
 15 or its equivalent. Operators of a family child care home licensed prior to
 16 January 1, 1998, shall be at least 18 years of age and literate. Literate is defined
 17 as understanding licensing requirements and having the ability to
 18 communicate with the family and relevant emergency personnel. Any
 19 operator of a licensed family child care home shall be the person on-site
 20 providing child care.

21 The Commission shall adopt standards to establish appropriate
 22 qualifications for all staff in child care centers. These standards shall reflect
 23 training, experience, education and credentialing and shall be appropriate for
 24 the size center and the level of individual staff responsibilities. It is the intent
 25 of this provision to guarantee that all children in child care are cared for by
 26 qualified people. Pursuant to G.S. 110-106, no requirements may interfere
 27 with the teachings or doctrine of any established religious organization. ~~The~~
 28 ~~staff qualification requirements of this subdivision do not apply to~~
 29 ~~religious sponsored child care facilities pursuant to G.S. 110-106."~~

30 **SECTION 1.(b)** G.S. 110-106 reads as rewritten:

31 **"§ 110-106. Religious sponsored child care facilities.**

32 ...

33 ~~(e) G.S. 110-91(8), 110-91(11), 110-91(12) do not apply to religious sponsored child care~~
 34 ~~facilities, and these facilities are exempt from any requirements prescribed by subsection (b) of~~
 35 ~~this section that arise out of these provisions.~~

36 ...

37 ~~(e) Each religious sponsored child care facility shall be under the direction or supervision~~
 38 ~~of a literate person at least 21 years of age. All staff counted toward meeting the required~~
 39 ~~staff/child ratio shall be at least 16 years old, provided that persons younger than 18 years old~~
 40 ~~work under the direct supervision of a literate staff person at least 21 years old. Effective January~~
 41 ~~1, 1998, a person operating a religious sponsored child care home must be at least 21 years old~~
 42 ~~and literate. All religious sponsored child care center administrators shall be at least 21 years of~~
 43 age. Effective July 1, 2024, each religious sponsored child care facility shall meet the following
 44 requirements:

45 (1) All child care administrators shall have the North Carolina Early Childhood
 46 Administration Credential, or its equivalent, as determined by the Department,
 47 and each child care center shall be under the direction or supervision of an
 48 administrator meeting these requirements.

49 (2) All lead teachers in a child care center shall have at least a North Carolina
 50 Infant-Toddler Certificate or Preschool Certificate, or its equivalent, as
 51 determined by the Department. All lead teachers in a child care center shall

1 have earned the North Carolina Early Childhood Credential before being
2 hired.

- 3 (3) An operator of a religious sponsored child care home shall be at least 21 years
4 of age and have a North Carolina Infant-Toddler Certificate or Preschool
5 Certificate, or its equivalent, as determined by the Department. An operator
6 of a religious sponsored child care home shall have earned a North Carolina
7 Early Childhood Credential before operating a child care home. Persons
8 operating religious sponsored child care homes prior to January 1, 1998, shall
9 be at least 18 years old and literate. The definition of literate in G.S. 110-91(8)
10 shall apply to this subsection."

11 **SECTION 2.(a)** Professional Standards and Competencies. – The Division of Child
12 Development and Early Education (Division) shall define the knowledge requirements for early
13 childhood educators by establishing expected competencies for lead teachers. These
14 competencies shall be based on the latest findings from the National Academy of Sciences report,
15 "Transforming the Workforce for Children from Birth through Age 8," and the newly revised
16 competencies from the National Association for the Education of Young Children (NAEYC).
17 Competencies shall be graduated and tied to the certificates and degrees offered within North
18 Carolina's community colleges and colleges and universities, specifically the Infant-Toddler and
19 Preschool Certificates, the associate and bachelor's degrees in Early Childhood Education.

20 **SECTION 2.(b)** The Division shall collaborate with the North Carolina Community
21 College System office to develop, or revise, a standardized process for early childhood educators
22 to demonstrate their ability to meet the competencies found in all courses included in either the
23 Infant-Toddler or Preschool Certificate. This process shall be available to support early childhood
24 educators who choose not to attend or return to college to earn the required Certificates or degrees
25 for lead teachers.

26 **SECTION 3.** By no later than July 1, 2020, the Department of Health and Human
27 Services, Division of Child Development and Early Education (Division), shall develop and
28 implement a program to incentivize higher teacher education and compensation levels by
29 providing subsidy payment enhancements to child care programs that use a salary scale and only
30 employ lead teachers who have obtained a minimum of an associate degree in child development
31 or a related field. The incentive amount shall be differentiated based on the level of degree
32 attained. The Division shall submit a progress report on the development and implementation of
33 the program required by this section to the Joint Legislative Oversight Committee on Health and
34 Human Services by March 1, 2020.

35 **SECTION 4.(a)** The Department of Health and Human Services, Division of Child
36 Development and Early Education (Division), shall conduct a feasibility and cost study for the
37 development of a pilot program modeled after the North Carolina prekindergarten (NC Pre-K)
38 program for classrooms for children birth through three years of age. The model shall focus on
39 criteria that, at a minimum, includes each of the following:

- 40 (1) Teachers with degrees.
41 (2) The use of curriculum and formative assessments.
42 (3) Improved student-teacher ratios.
43 (4) Payment rates for child care programs commensurate with the increased
44 teacher education requirements.
45 (5) The training, program coordination, recruitment, outreach, and monitoring
46 necessary to implement the program.
47 (6) An ongoing evaluation program to measure educational outcomes similar to
48 the evaluation required for the NC Pre-K program.

49 **SECTION 4.(b)** The Division shall submit a report on the study required under
50 subsection (a) of this section to the 2020 Regular Session of the 2019 General Assembly by April
51 1, 2020.

1 **SECTION 5.** Early Childhood Workforce Report. – The Division of Child
2 Development and Early Education (Division) shall report on the status of the early childhood
3 workforce established pursuant to the provisions of this act every three years. This report shall
4 include information on the educational status and compensation of all lead teachers and other
5 teaching staff enrolled in licensed child care programs in North Carolina. The Division shall
6 submit the report required by this section to the Joint Legislative Oversight Committee on Health
7 and Human Services by January 1, 2021, and every three years thereafter.

8 **SECTION 6.** Except as otherwise provided, this act is effective when it becomes
9 law.