

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

H

3

HOUSE BILL 882  
Corrected Copy 4/30/19  
Committee Substitute Favorable 5/3/19

Short Title: Early Childhood Recommendations/DHHS.

(Public)

Sponsors:

Referred to:

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.** 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.



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 religious  
29 sponsored child care facilities pursuant to G.S. 110-106."

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

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

45 **SECTION 3.** By no later than July 1, 2020, the Department of Health and Human  
46 Services, Division of Child Development and Early Education (Division), shall develop and  
47 implement a program to incentivize higher teacher education and compensation levels by  
48 providing subsidy payment enhancements to child care programs that use a salary scale and only  
49 employ lead teachers who have obtained a minimum of an associate degree in child development  
50 or a related field. The incentive amount shall be differentiated based on the level of degree  
51 attained. The Division shall submit a progress report on the development and implementation of

1 the program required by this section to the Joint Legislative Oversight Committee on Health and  
2 Human Services by March 1, 2020.

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

8 (1) Teachers with degrees.

9 (2) The use of curriculum and formative assessments.

10 (3) Improved student-teacher ratios.

11 (4) Payment rates for child care programs commensurate with the increased  
12 teacher education requirements.

13 (5) The training, program coordination, recruitment, outreach, and monitoring  
14 necessary to implement the program.

15 (6) An ongoing evaluation program to measure educational outcomes similar to  
16 the evaluation required for the NC Pre-K program.

17 **SECTION 4.(b)** The Division shall submit a report on the study required under  
18 subsection (a) of this section to the 2020 Regular Session of the 2019 General Assembly by April  
19 1, 2020.

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

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