

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2019

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HOUSE BILL 882

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

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

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

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



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

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

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

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

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

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

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

- (1) All child care administrators shall have the North Carolina Early Childhood Administration Credential, or its equivalent, as determined by the Department, and each child care center shall be under the direction or supervision of an administrator meeting these requirements.
- (2) All lead teachers in a child care center shall have at least a North Carolina Infant-Toddler Certificate or Preschool Certificate, or its equivalent, as determined by the Department. All lead teachers in a child care center shall

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

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

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

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

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

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

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

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

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

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