

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009**

**SESSION LAW 2009-123  
HOUSE BILL 1031**

AN ACT TO PROVIDE THAT PUBLIC SCHOOLS SEEKING VOLUNTARY CHILD CARE FACILITY LICENSURE MAY USE THE SAME BUILDING STANDARDS FOR PREKINDERGARTEN CLASSROOMS AS FOR KINDERGARTEN CLASSROOMS MEETING CERTAIN REQUIREMENTS.

The General Assembly of North Carolina enacts:

**SECTION 1.** Chapter 115C of the General Statutes is amended by adding a new section to read:

**"§ 115C-521.1. Building standards for preschool students.**

A public school that voluntarily applies for a child care facility license may use an existing or newly constructed classroom in a public school for three- and four-year-old preschool students without modifications to the classroom or building if the classroom:

- (1) Has at least one toilet and one sink for hand washing;
- (2) Meets kindergarten standards for overhead light fixtures;
- (3) Meets kindergarten standards for floors, walls, and ceilings; and
- (4) Has floors, walls, and ceilings that are free from mold, mildew, and lead hazards.

A public school that voluntarily applies for a child care facility license shall meet all other requirements for child care facility licensure."

**SECTION 2.** G.S. 110-90(11) reads as rewritten:

"(11) To issue a license to any child care arrangement that does not meet the definition of child care facility in G.S. 110-86 whenever the operator of the arrangement chooses to comply with the requirements of this Article and the rules adopted by the Commission and voluntarily applies for a child care facility license. The Commission shall adopt rules for the issuance or removal of the licenses.

Notwithstanding any other provision of law, rules adopted by the Commission regarding a public school that voluntarily applies for a child care facility license shall provide that a classroom that meets the standards set out in G.S. 115C-521.1 shall satisfy child care facility licensure requirements as related to the physical classroom."



**SECTION 3.** This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 11<sup>th</sup> day of June,  
2009.

s/ Marc Basnight  
President Pro Tempore of the Senate

s/ Joe Hackney  
Speaker of the House of Representatives

s/ Beverly E. Perdue  
Governor

Approved 11:29 a.m. this 19<sup>th</sup> day of June, 2009