

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE DRH30709-LU-153A* (5/15)

Short Title: Dept of Defense/Cert. Child Care Facility.

(Public)

Sponsors: Representative Dickson.

Referred to:

A BILL TO BE ENTITLED

AN ACT AUTHORIZING UNITED STATES DEPARTMENT OF DEFENSE
CERTIFIED CHILD CARE FACILITIES TO BE LICENSED BY THE NORTH
CAROLINA DEPARTMENT OF HEALTH AND HUMAN SERVICES AND
ALLOWING DEPARTMENT OF DEFENSE CERTIFIED CHILD CARE
FACILITIES TO PARTICIPATE IN THE STATE SUBSIDIZED CHILD CARE
PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. Article 7 of Chapter 110 of the General Statutes is amended by
adding a new section to read:

"§ 110-106.2. Department of Defense certified child care facilities.

(a) As used in this section, the phrase 'Department of Defense certified child care facility' shall include child development centers, family child care homes, and school-aged child care facilities operated aboard a military installation under the authorization of the United States Department of Defense (Department of Defense) certified by the Department of Defense.

(b) Procedure Regarding Department of Defense Certified Child Care Facilities.

(1) Department of Defense certified child care facilities shall file with the Department a notice of intent to operate a child care facility in a form determined by the Department of Defense. The Department shall then issue a North Carolina child care license to the Department of Defense certified child care facility.

(2) As part of its notice, each Department of Defense certified child care facility shall file a report to the Department indicating that it meets the minimum standards for child care facilities as provided by the Department of Defense.

- 1 (3) The Department shall deem all Department of Defense rules and
2 regulations for Department of Defense certified child care facilities
3 equivalent to the provisions of this Article and rules adopted by the
4 Commission. As such, Department of Defense certified child care
5 facilities shall not be subject to regulation by the Department or
6 subject to the provisions of this Article or rules adopted by the
7 Commission, including inspections conducted by the Secretary or the
8 Secretary's designee or other State or local regulatory divisions.
- 9 (4) The Department shall rate Department of Defense certified child care
10 facilities that have achieved accreditation by the National Association
11 of Education for Young Children, the National Association of Family
12 Child Care, or the National AfterSchool Association as five-star-rated
13 child care facilities. The Department shall rate Department of Defense
14 certified child care facilities that do not possess current accreditation
15 status from one of the entities listed in this subdivision as four-star-
16 rated child care facilities.
- 17 (5) Child care facilities certified by the Department of Defense shall not
18 be subject to a provisional license or one-star rating upon receiving
19 Department of Defense certification.
- 20 (6) Teachers employed by Department of Defense certified child care
21 facilities who have successfully completed the Department of Defense
22 Child Care Training Modules shall be qualified and recognized as lead
23 teachers by equivalency upon submission of an Education and
24 Equivalency form to the Workforce Section of the Division of Child
25 Development.
- 26 (7) Administrators employed by Department of Defense certified child
27 care facilities shall be qualified as Level III child care administrators
28 by equivalency upon submission of an Education and Equivalency
29 form to the Workforce Section of the Division of Child Development.
- 30 (8) The Department shall not assess a Department of Defense certified
31 child care facility operating with a North Carolina child care license a
32 fee for licensure or license renewal.
- 33 (9) A revocation of Department of Defense certification shall result in
34 termination of a North Carolina child care license. Revocations of
35 Department of Defense certification shall be reported to the
36 Department within 10 business days from the date of revocation."

37 **SECTION 2.** G.S. 143B-168.15(g) reads as rewritten:

38 "(g) Not less than thirty percent (30%) of the funds spent in each year of each
39 local partnership's direct services allocation shall be used to expand child care subsidies.
40 To the extent practicable, these funds shall be used to enhance the affordability,
41 availability, and quality of child care services as described in this section. The North
42 Carolina Partnership may increase this percentage requirement up to a maximum of fifty
43 percent (50%) when, based upon a significant local waiting list for subsidized child
44 care, the North Carolina Partnership determines a higher percentage is justified. Funds

1 allocated under this section shall supplement and not supplant any federal or State funds
2 allocated to Department of Defense certified child care facilities licensed under
3 G.S. 110-106.2."

4 **SECTION 3.** Department of Defense certified child care facilities licensed
5 pursuant to G.S. 110-106.2, as enacted in Section 1 of this act, may participate in the
6 State subsidized child care program that provides for the purchase of care in child care
7 facilities for minor children in needy families; provided, that funds allocated from the
8 State subsidized child care program to Department of Defense certified child care
9 facilities shall supplement and not supplant funds allocated in accordance with
10 G.S. 143B-168.15(g). Payment rates and fees for military families who choose
11 Department of Defense certified child care facilities and who are eligible to receive
12 subsidized child care shall be as determined by the General Assembly in the Current
13 Operations Appropriations Act for the 2008-2009 fiscal year.

14 **SECTION 4.** There is appropriated from the General Fund to the
15 Department of Health and Human Services, Division of Child Development, the sum of
16 one million five hundred thousand dollars (\$1,500,000) for the 2008-2009 fiscal year for
17 the purpose of child care subsidies paid to eligible military families using Department of
18 Defense certified child care facilities under G.S. 110-106.2, enacted in Section 1 of this
19 act, located aboard military installations in North Carolina.

20 **SECTION 5.** Section 4 of this act becomes effective July 1, 2008. The
21 remainder of this act becomes effective January 1, 2009.