Summary of the North Carolina Child Care Law and Rule for Child Care Centers

What is Child Care?
The law defines child care as:
- three or more unrelated children under 13 years of age
- receiving care from a non-relative on a regular basis, at least once a week for more than four hours per day but less than 24 hours.

It is only when all of these conditions exist that regulation is required. The North Carolina Department of Health and Human Services is responsible for regulating child care. This is carried out through the Division of Child Development and Early Education. The purpose of regulation is to protect the health and well-being of children while they are away from their parents. The law defining child care is in the North Carolina General Statutes, Article 7, Chapter 110. The North Carolina Child Care Commission is responsible for adopting rules to carry out the law. Some counties and cities in North Carolina also have local zoning requirements for child care programs.

Child Care Centers
Licensing as a center is required when six or more children are cared for in a residence or when three or more children are in care in a building other than a residence. Religious-sponsored programs are exempt from some of the regulations described below if they choose not to be licensed. Child care centers may voluntarily meet higher standards and receive a license with a higher rating. Centers will be visited at least annually to make sure they are following the law and to receive technical assistance from child care consultants.

Two Through Five Star Rated License
Centers that meet the minimum licensing requirements will receive a one-star license. Programs that choose to voluntarily meet higher standards can apply for a two through five-star rated license. The number of stars a program earns is based upon the education levels their staff meet, the program standards met by the program, and one quality point option.

Staff/Child Ratios
Ratios are the number of staff required to supervise a certain number of children. Group sizes for the maximum number of children in one group. Ratios and group sizes for licensure are shown below and must be posted in each classroom. A sample staff/child ratio chart can be found on the DoCDEE website under “Provider Documents and Forms”.

**Age** | **Teacher: Child Ratio** | **Maximum Group Size**
--- | --- | ---
0-12 months | 1:6 | 10
12-24 months | 1:6 | 12
2 to 3 years old | 1:10 | 20
3 to 4 years old | 1:15 | 25
4 to 5 years old | 1:20 | 25
5 years old and Older | 1:25 | 25


Criminal Background Checks
Criminal background qualification is a pre-service requirement. All staff must undergo a criminal background check initially, and every three years thereafter.

Criminal Background Checks
Reviewing Facility Information
From the Division’s Child Care Facility Search Site, the facility and visit documentation can be viewed:
http://childcare.facilitysearch.ncdhhs.gov/

A public file is maintained in the Division’s main office in Raleigh for every licensed center. These files can be viewed during business hours (8am-5pm) by contacting the Division at 919-814-6300 or 1-800-859-0829 or requested via the Division’s web site at www.ncdhhs.nolearn.com/childcare.

Education and Training
The administrator of a child care center must be at least 21 and have at least a North Carolina Early Childhood Administration Credential or its equivalent. Lead teachers in a child care center must be at least 18 and have at least a North Carolina Early Childhood Credential or its equivalent. If administrators and lead teachers do not meet this requirement, they must begin credential coursework within six months of being hired. Staff younger than 18 years of age must work under the direct supervision of staff 21 years of age or older. All staff must have current certification in CPR and First Aid. All staff must complete health and safety training and a minimum number of ongoing training hours annually. It is required of the administrator and any caregiver that works with infants 12 months of age or younger. One staff member must complete the Emergency Preparedness and Response in Child Care training and plan.

Criminal Background Checks
Discipline and Behavior Management
Each program must have a written policy on discipline, which must include the rights and responsibilities of children. Violations of discipline policy must be shared with parents in writing before going into effect. Corporal punishment is prohibited in all centers. Religious-sponsored programs which notify the Division of Child Development and Early Education that corporal punishment is part of their religious beliefs must follow the guidelines set forth in the religious organization’s guidelines.

The law and rules are developed to establish minimum requirements. Most parents would like more than minimum care. Child Care Resource and Referral agencies can provide help in choosing quality care. For more information about choosing quality child care, parent resources and/or the rules in North Carolina law and rules, contact the Division of Child Development and Early Education at 919-814-6300 or 1-800-859-0829 or visit our homepage at www.ncdhhs.nolearn.com/childcare.

This summary shall be posted for the public to view in accordance with G.S. 110-102

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Child Care Commission

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