

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 896
Committee Substitute Favorable 4/24/97
Third Edition Engrossed 4/30/97

Short Title: Day Care Changes.

(Public)

Sponsors:

Referred to:

April 8, 1997

1 A BILL TO BE ENTITLED
2 AN ACT TO CHANGE THE LAW REGARDING STAFF-CHILD RATIOS FOR
3 CHILD DAY CARE FACILITIES TO ADDRESS THE SPECIAL NEEDS OF
4 LARGE CHILD DAY CARE HOMES AND REGARDING RULES ADOPTED BY
5 THE CHILD DAY CARE COMMISSION PERTAINING TO PLAYGROUND
6 EQUIPMENT.

7 The General Assembly of North Carolina enacts:

8 Section 1. (a) G.S. 110-91(7) reads as rewritten:

9 "(7) Staff-Child Ratio. – In determining the staff-child ratio, all children
10 younger than 13 years shall be counted. The Commission shall adopt
11 rules regarding staff-child ratios, group sizes and multi-age groupings
12 for each category of facility other than for infants and toddlers, provided
13 that these rules shall be no less stringent than those currently required
14 for staff-child ratios as enacted in Section 156(e) of Chapter 757 of the
15 1985 Session Laws. The staff-child ratios and group sizes for infants
16 and toddlers for all facilities except child day care large homes for
17 infants and toddlers shall be no less stringent than as follows:

18 Age Ratio Group Size

1	0 to 12 months	5	10
2	12 to 24 months	6	12
3	2 to 3 years	10	20.

4 The staff-child ratio for child day care large homes for all children
 5 shall be no less stringent than as follows:

6	<u>Age</u>	<u>Ratio</u>
7	<u>0 to 12 months</u>	<u>5 preschool children plus 3 additional</u>
8		<u>school aged children</u>
9	<u>12 to 24 months</u>	<u>6 preschool children plus 2</u>
10		<u>additional school aged children</u>

11 For child day care large homes, the following shall apply:

- 12 a. There is no specific group size.
- 13 b. When only one caregiver is required to meet the staff-child ratio,
 14 the operator shall make available to parents the name, address,
 15 and phone number of an adult who is nearby and available for
 16 emergency relief.
- 17 c. Children shall be supervised at all times. All children who are
 18 not asleep or resting shall be visually supervised. Children may
 19 sleep or rest in another room as long as a caregiver can hear them
 20 and respond immediately."

21 (b) This section becomes effective October 1, 1997.

22 Section 2. G.S. 110-91(6) reads as rewritten:

23 "(6) Space and Equipment Requirements. – There shall be no less than 25
 24 square feet of indoor space for each child for which a child day care
 25 facility is licensed, exclusive of closets, passageways, kitchens, and
 26 bathrooms, and this floor space shall provide during rest periods 200
 27 cubic feet of airspace per child for which the facility is licensed. There
 28 shall be adequate outdoor play area for each child under rules adopted
 29 by the Commission which shall be related to the size and type of
 30 facility, availability and location of outside land area, except in no event
 31 shall the minimum required exceed 75 square feet per child, which area
 32 shall be protected to assure the safety of the children receiving day care
 33 by an adequate fence or other protection; provided, however, that a
 34 facility operated in a public school shall be deemed to have adequate
 35 fencing protection; provided, also, that a facility operating exclusively
 36 during the evening and early morning hours, between 6:00 P.M. and
 37 6:00 A.M., need not meet the outdoor play area requirements mandated
 38 by this subdivision.

39 Each child day care facility shall provide indoor area equipment and
 40 furnishings that are child size, sturdy, safe, and in good repair. The
 41 Commission shall adopt standards to establish minimum requirements
 42 for indoor equipment appropriate for the size facility being operated
 43 pursuant to G.S. 110-86(3). Space shall be available for proper storage

1 of beds, cribs, mats, cots, sleeping garments, and linens as well as
2 designated space for each child's personal belongings.

3 Each child day care facility that provides outdoor area equipment
4 and furnishings shall provide outdoor area equipment and furnishings
5 that are in good repair and are child size, sturdy, and free of hazards that
6 pose threat of serious injury to children while engaged in normal
7 supervised play activities. The Commission shall adopt standards to
8 establish minimum requirements for equipment appropriate for the size
9 facility being operated pursuant to G.S. 110-86(3)."

10 Section 3. Section 2 of this act limits the authority of the Child Day Care
11 Commission to adopt rules to ensure that outdoor play area equipment and furnishings at
12 day care facilities are free of hazards that pose threat of serious injury to children while
13 engaged in normal supervised play activities. Accordingly, pursuant to G.S. 150B-21.7,
14 rules adopted by the Child Day Care Commission requiring conformance to United States
15 Consumer Product Safety Commission guidelines for playground safety, including
16 amendments thereto, are repealed.

17 Section 4. Except as otherwise provided in this act, this act is effective when it
18 becomes law.