

# North Carolina Child Care Law and Rules

## Summary

What is child care? The law defines child care as three or more unrelated children less than 13 years of age receiving care from a non-relative on a regular basis, of at least once a week for more than 4 hours per day but less than 24 hours per day.

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 done through the Division of Child Development. The purpose of regulation is to protect the 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.

Religious-sponsored programs are exempt from some of the regulations described below if they choose not to be licensed. Center will be visited at least annually to make sure they are following the law and to receive technical assistance from child care consultants.

Licensed centers must meet the requirements in the following areas:

### Staff

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 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 undergo a criminal records background check.

### Ratios

Ratios are the number of staff required to supervise a certain number of children. Group size is the maximum number of children in one group. Ratios and group sizes for licensure are shown below.

Age	Teacher: Child Ratio	Maximum Group Size
0-12 months	1:5	10
12-24 months	1:6	12
2 years old	1:10	20
3 years old	1:15	25
4 years old	1:20	25
school age	1:25	25

### Space and Equipment

To meet licensing requirements, there must be at least 25 square feet per child indoors and 75 square feet per child outdoors. Outdoor play space must be fenced. Indoor equipment must be clean, safe, well-maintained, and age-appropriate. Outdoor equipment and furnishings must be child size, sturdy, and free of hazards that could injure children.

### Curriculum

The Division of Child Development does not promote or require any specific curriculum over another. Child care programs choose the type of curriculum appropriate for the ages of the children enrolled. Activity plans must be available to parents and must show a balance of active and quiet activities.

## Health and Safety

Children must be immunized on schedule. Each licensed center must ensure the health and safety of children by sanitizing areas and equipment used by children. Meals and snacks must be nutritious, and children must have portions large enough to satisfy their hunger. Food must be offered at least once every four hours. Local health, building, and fire inspectors visit licensed programs to make sure standards are met. All children must be allowed to play outdoors each day and must have space and time provided for rest.

## Records

Centers and homes must keep accurate records such as children's attendance, immunizations, and emergency phone numbers. A record of monthly fire drills practiced safe evacuation of children must be maintained.

## Discipline

Each program must have a written policy on discipline, must discuss it with parents, and must give parents a copy when the child is enrolled. Corporal punishment is prohibited in all centers.

## Parental Rights

Parents have the right to enter a center at any time their child is present, they have the right to see the license displayed in a prominent place, and have the right to know how their child is disciplined.

## How to contact the State

For more information about child care, parents can call 1-800-CHOOSE-1 or visit the Child Development website at [www.ncchildcare.net](http://www.ncchildcare.net). For more information about laws and rules, contact the Division of Child Development at 919-662-4499 or 1-800-859-0829, or visit our homepage at: <http://www.ncchildcare.net>.

## How to report a problem

North Carolina law requires staff from the Division of Child Development to investigate a licensed child care center where there has been a complaint. Child care providers who violate the law or rules may be fined up to \$1,000.00 and may have their licenses suspended or revoked. If you believe that a child care provider fails to meet the requirements described in this pamphlet, or if you have a question, please call the Division of Child Development at 919-662-4499 or 1-800-859-0829.

## Child Abuse or Neglect

Abuse occurs when a parent or caregiver injures or allow another to injure a child physically and emotionally. Abuse may also occur when a parent or caregiver puts a child at risk of serious injury. Neglect occurs when a child does not receive proper care, supervision, or discipline, or when a child is abandoned. North Carolina law requires any person who suspects child abuse or neglect to report the case to the county department of social services. In addition, any person can call the Division of Child Development. Reports can be made anonymously, and a person cannot be held liable for a report made in good faith.

## Reviewing File

A public file is maintained in the Division's main office in Raleigh for every center or family child care home. These files can be viewed during work hours, requested via the Division's web site at [www.ncchildcare.net](http://www.ncchildcare.net) or requested by contacting the Division at 1-800-859-0829.