



# Early Childhood Services Advisory Board

*June 23, 2022*

NORTH  
**Dakota**  
Be Legendary.™

Human Services



During the **first 5 years** of life, emotionally nourishing relationships lay the **foundation** for lifelong health and well-being.

The caring adults who touch the lives of infants, toddlers and preschoolers can maximize our long-term impact in ensuring all children have an **opportunity to realize** their **full potential.**



# HOUSEKEEPING

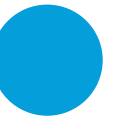
- ❖ Restrooms
- ❖ Phone calls
- ❖ Breaks



# AGENDA



1. Welcome and Introductions
2. Overview of the ND Early Childhood Division
3. Early Childhood Services Advisory Board Charter
4. Overview of Century Code, Rule, and Policy
5. Introduction to Rule Making
- Lunch Break---
6. CCDF Overview
7. Caring for Our Children Overview
8. Proposed Rule Changes



WELCOME!



# EARLY CHILDHOOD DIVISION

## Purpose

The purpose of the Early Childhood division is to **build greater access to quality** early childhood experiences so kids age 0-5 from all backgrounds and circumstances have the **opportunity to reach their potential.**



# EARLY CHILDHOOD

In ND early childhood is a mixed delivery system, involving both public and private partners using both federal and state funds



## Dept of Human Services

- Early Childhood division
- Children and Family Services – home visiting, child protection, abuse prevention
- Dev Disabilities – early intervention, in-home supports
- Economic Assistance – child care assistance program

## Training and Early Childhood Supports

- Training providers
- Coaches, mentors and consultants
- Health and wellness consultants
- Business success and quality improvement consultants
- Consumer education resource and referral

## Early Childhood Experience Providers

- Early childhood programs – including center-based, group, and family child care
- Public Pre-K programs
- Early Childhood Special Education services
- Head Start and Early Head Start
- Home visiting providers
- Development Disability and Early Intervention providers

## Dept of Public Instruction

- Office of Special Education
- K-12 Coordinating Council
- Comprehensive State Literacy program
- Child and Adult Care Food Program
- PK-12 Vision

# EARLY CHILDHOOD DIVISION

## What we do



### Licensing

- Issue licenses and certifications to early childhood programs in North Dakota
- Monitor compliance with early childhood health and safety regulations
- Maintain child care provider profiles for both licensing and resource/referral

### Professional Development

- Maintain workforce registry in support of early childhood work force
- Provide technical assistance to providers to support health, safety and continuous quality improvement
- Provider start-up and expansion support

### Quality

- Operation of Bright & Early – the ND quality rating improvement system
- Maintenance of early childhood standards and practices
- Assessment and validation of quality rated EC programs across ND

### Best in Class

- Grant program to grow access to high quality EC experiences delivered in the year before kindergarten
- Targeted coaching and professional supports
- Active monitoring for fidelity to quality standards

### Family Support and School Engagement

- Head Start Collaboration
- Part C Early interventions
- Part B 619
- Home Visitation
- Child Care assistance for lower income households
- Family education and outreach

### EC Operations

- Early Childhood Integrated Data System
- Child Care Development Block Grant state plan
- EC Technology System coordination and support



# EARLY CHILDHOOD DIVISION TIMELINE

It all started in 2021



## May 2021

- Develop BIC application
- Begin drafting RFPs and transitioning data system contracts

## July 2021

- New EC division launches, coinciding with new biennium
- Complete hiring of state EC team
- Publish RFPs for EC services

## Sept/Oct 2021

- Best in Class 1<sup>st</sup> cohort begins
- Award RFPs for EC services
- Open applications for provider grants
- Child Care licensing benchmarking study
- DPI SpEd/DHS B-5 plan for Part C to Part B transitions
- CCAP outreach initiative

## April 2021

- HB1416 moves Office of Early Learning from DPI to DHS
- HB1466 establishes Best in Class program
- HB1012 authorizes 8 FTE for EC division
- Begin co-pay relief for families receiving CCAP

## June 2021

- Open applications for Best in Class
- Draft plan for COVID-related childcare grants and incentives
- Begin hiring EC team members
- Finalize 3-year CCDBG plan

## August 2021

- Award Best in Class grants
- Let's Chalk 0-5 milestone celebration
- Finalize 1416/1466-related agreements
- Waterford Upstart outreach & enrollment

# EARLY CHILDHOOD DIVISION TIMELINE

## Update on Progress

### Dec 2021

- Awarded contract for QRIS supports

### Feb/Mar 2022

- Updated state Child Care Emergency Plan and participated in emergency operations command center exercise
- Launched Four-Year Old Program approval process
- Awarded Head Start Collaboration Office continuation grant
- Updated Relationship Based Professional Development (RBP) Endorsements
- Presented to Workforce Development Council on child care affordability

### Nov 2021

- Launched inclusion supports by USpireND
- Launched Child Care Aware TA/coaching/referral services by SEEC
- Pyramid Model and NCEDTL courses available via Growing Futures
- ECIDS project planning

### Jan 2022

- Finalizing integrations for Child Care Licensing (CCL) system development
- Finalized five-year plan for Head Start Collaboration Office
- Conducted a Head Start Needs Assessment
- Submitted first federal report of APRA grants to child care sector

### Apr 2022

- Opened application for Best in Class 2022-23 cohort and held Q & A sessions
- User Acceptance Testing for CCL underway
- Awarded Best in Class continuation grants

# EARLY CHILDHOOD DIVISION TIMELINE

## What's Next



### June 2022

- Complete reporting from 2021/22 Best in Class cohort
- Open grant applications for workforce retention, training and career path incentives
- Launch ND3 cost sharing model

### August 2022

- Best In Class Year 2 cohort begins
- CCL promotion begins

### September 2022

- Launch September ND QRIS Bright & Early cohort
- Early Childhood Education Council meets

### May 2022

- Award new grantees for 2022/23 Best in Class cohort
- 2022/23 Best in Class Kickoff Meeting
- Research partner assists Best in Class programs to market and recruit their community
- Launch QRIS supports by CAPLP
- Six-month check-ins with contract holders
- Produce first edition of Early Childhood Division newsletter
- Early Childhood Education Council meeting

### July 2022

- Planning website / user experience updates
- Engage in Administrative Rule Process regarding health and safety compliance
- Training planning for Child Care Licensing (CCL) system continues



# EARLY CHILDHOOD ADVISORY BOARD CHARTER

**Statutory purpose**

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“The early childhood services advisory board shall:

1. **Advise** the department each time the department reviews early childhood services rules;
2. Upon the completion of the department's review, with the assistance of the department, **conduct an analysis of and make recommendations** to the department regarding the department's review of the early childhood services rules, however, final approval of any administrative rule changes must be completed through the administrative rulemaking process set forth in chapter 28-32; and
3. On an ongoing basis, **make recommendations** to the department regarding changes and revisions to the early childhood services rules. The recommendations, the goal of which is to streamline and improve the quality of the early childhood services process, must seek to balance the need for rules that ensure safe quality child care with the need to revise or eliminate rules that create unnecessary barriers for early childhood service providers.”

-NDCC 50-11.1-15

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# EARLY CHILDHOOD ADVISORY BOARD CHARTER

<b>Method of Appointment</b>	Members will be appointed by the director of the department.
<b>Term of Appointment</b>	<ul style="list-style-type: none"><li>• Members will be appointed for a term of 4 years</li><li>• Appointments will begin July 1 and will end on June 30</li><li>• Appointments will be staggered to ensure consistency of membership</li></ul>
<b>Size of Task Force</b>	The board will include 7 members. The members of the board must include a broad-based geographically distributed membership.
<b>Current Appointments</b>	Family Child Care Provider Group Child Care Provider – East Group Child Care Provider – West Center Child Care Provider – East Center Child Care Provider – West Preschool Facility School Age Child Care Provider
<b>Decision making model</b>	Most of the Board’s work will not require formal voting as the primary work is collaborative and consultative.



# EARLY CHILDHOOD ADVISORY BOARD CHARTER

## **Compensation**

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“The members are entitled to be paid for mileage and expenses incurred in attending meetings and in performance of their official duties in amounts provided by law for other state officers and employees. A member also is entitled to be reimbursed up to one hundred dollars per day for the expenses incurred by the member which relate to the hiring of a substitute early childhood services provider in order that the member may attend meetings and perform the member's official duties.”

-NDCC 50-11.1-15

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# REIMBURSEMENT REQUEST

SFN 10230

<https://www.nd.gov/eforms/Doc/sfn10230.pdf>

Submit completed form to Carmen Traeholt at [ctraeholt@nd.gov](mailto:ctraeholt@nd.gov)



## NON-EMPLOYEE TRAVEL REIMBURSEMENT CLAIM

STATE OF NORTH DAKOTA

SFN 10230 (1-2022)

TYPE OR PRINT

• = Attach Receipt(s)

Name			Date Submitted	
Address		City	State	ZIP Code
Name of Board or Commission			Meeting/Seminar Date(s)	
<b>TRAVEL TIME</b>	Date of Departure From Home	Time of Departure From Home	Date of Return Home	Time of Return Home

### INSTRUCTIONS

Enter amount of expenses that you incurred in block to the right. Do not include automobile mileage unless you drove your own vehicle. Reimbursement is 58.5¢ per mile in North Dakota, 58.5¢ per mile to a geographic point 300 miles each way from the borders of the state, and 18¢ per mile for the remaining distance.

Receipts must be attached to this form for all costs indicated by "•". Actual receipts are required; copies of credit card slips are not acceptable.

Lodging for in-state is reimbursed at actual cost up to 90% of GSA rate/day plus additional state and local taxes applicable to the GSA rate; out-of-state is actual cost.

"Other" costs must be explained and receipt(s) attached.

Were meals included in registration fee? <input type="checkbox"/> No <input type="checkbox"/> Yes - Which?	Number of Breakfasts	Number of Lunches	Number of Dinners
Explanation of Travel and Other Costs			
ATTACH COPY OF MEETING ANNOUNCEMENT			Signature

Commercial Transportation Expense	•
Taxi Fare (Receipt If Over \$10.00)	•
Registration Fee (If Paid By You)	•
Lodging	•
Other - Explain:	•
Automobile Mileage (Round Trip)	
Automobile Mileage (Out-of-State)	

# EARLY CHILDHOOD ADVISORY BOARD CHARTER

## **Membership Qualifications:**

Board members will be selected based on their ability and willingness to contribute to conversations about Early Childhood Rules. Efforts will be made to assure appropriate geographic representation.

## **Board members should be able to:**

- Share insights and information about their experiences in ways that others can learn from them
- See beyond their own personal experiences
- Show concern for more than one issue or agenda
- Listen well
- Offer balanced feedback that helps lead conversations toward solution
- Respect the perspectives of others
- Speak comfortably in a group with candor
- Interact well with many different kinds of people
- Work in partnership with others



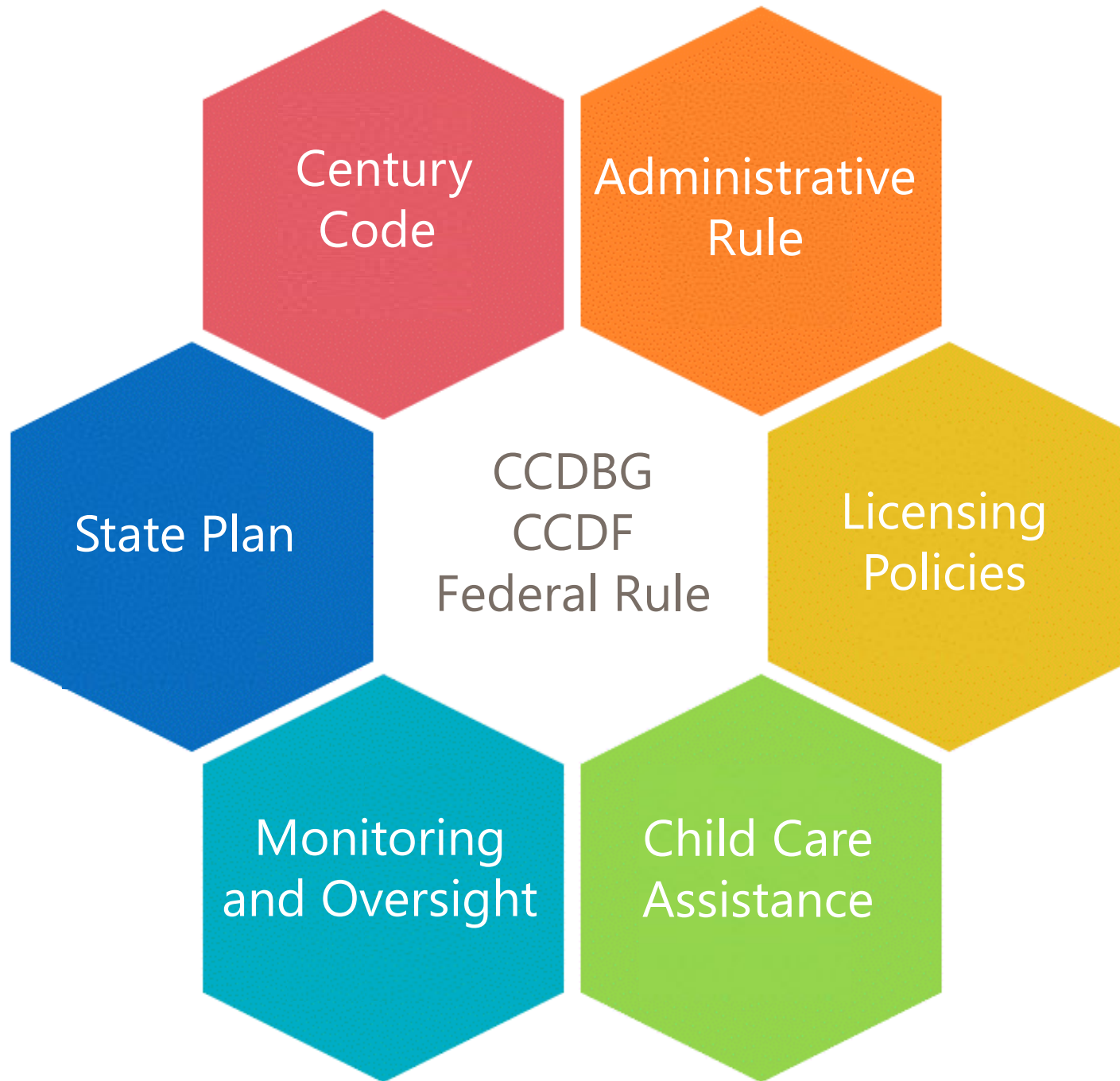


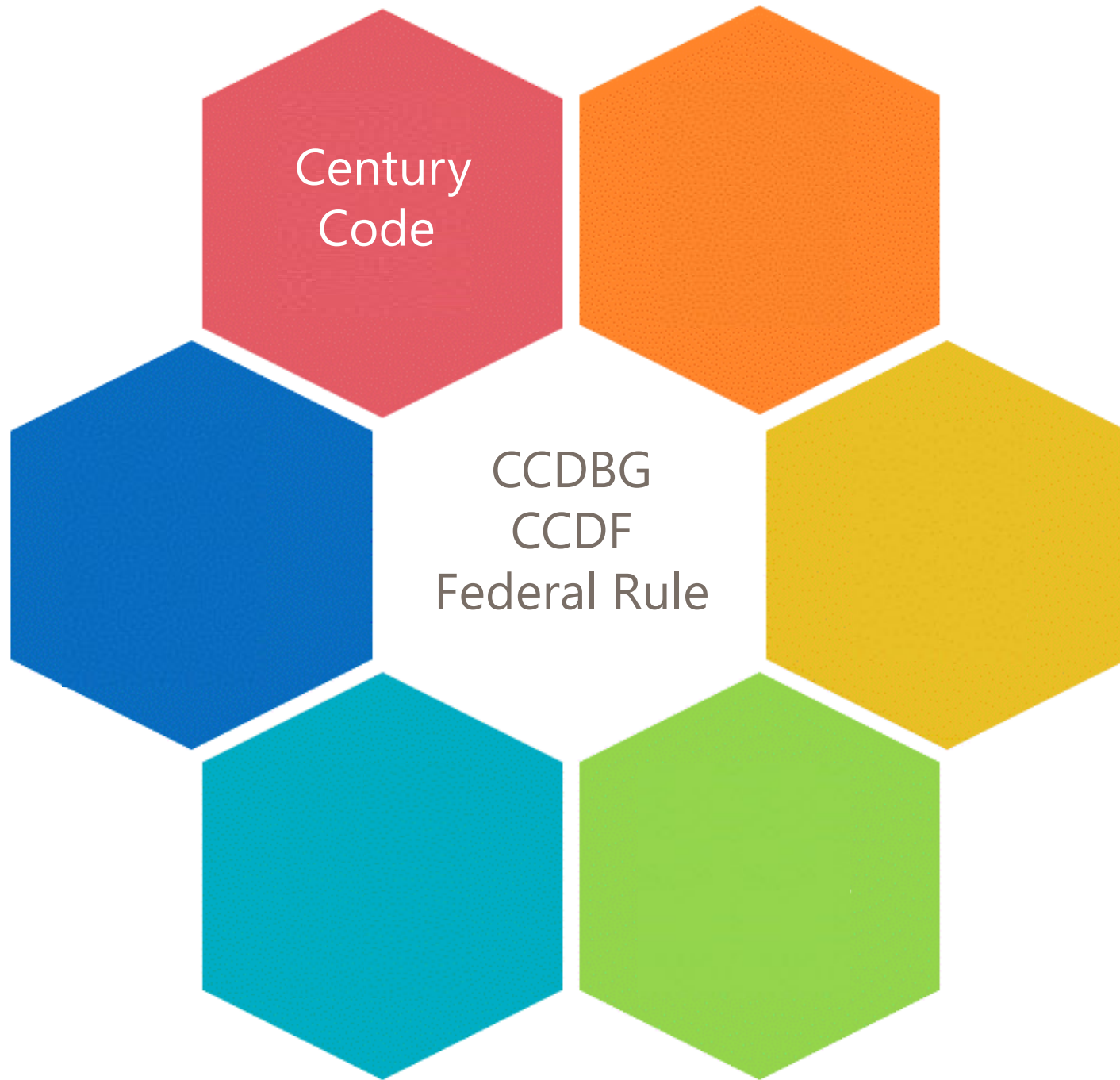
# EARLY CHILDHOOD ADVISORY BOARD CHARTER

**Frequency of Meetings** As necessary when rule changes have been identified

**Calendar Considerations** Board calendar is aligned with the legislative calendar to appropriately inform Department’s legislative work.







# CENTURY CODE (LAW)

## Overview

### **ND Early Childhood Services Law is CHAPTER 50-11.1**

<https://ndlegis.gov/cencode/t50.html>

50-11.1-01. Purpose. The purpose of this chapter is to assure that children receiving early childhood services be provided food, shelter, safety, comfort, supervision, and learning experiences commensurate to their age and capabilities, so as to safeguard the health, safety, and development of those children.





## Title 50

### Public Welfare

Chapter	Section Listing	Chapter Name
<a href="#">50-01</a>	<a href="#">50-01 Sections</a>	County Poor Relief, Administration
<a href="#">50-01.1</a>	<a href="#">50-01.1 Sections</a>	Multicounty Social Service Districts
<a href="#">50-01.2</a>	<a href="#">50-01.2 Sections</a>	County Social Service Boards
<a href="#">50-02</a>	NA	Residence for Poor Relief Purposes [Repealed]
<a href="#">50-03</a>	NA	County Human Services Fund [Repealed]
<a href="#">50-04</a>	NA	County Asylum for Poor [Repealed]
<a href="#">50-05</a>	NA	Habitual Drunkards - Treatment at County Expense [Repealed]
<a href="#">50-06</a>	<a href="#">50-06 Sections</a>	Department of Human Services
<a href="#">50-06.1</a>	<a href="#">50-06.1 Sections</a>	Vocational Rehabilitation
<a href="#">50-06.2</a>	<a href="#">50-06.2 Sections</a>	Comprehensive Human Services Programs
<a href="#">50-06.3</a>	<a href="#">50-06.3 Sections</a>	Fees and Expenses
<a href="#">50-06.4</a>	<a href="#">50-06.4 Sections</a>	Traumatic Brain Injuries
<a href="#">50-06.5</a>	<a href="#">50-06.5 Sections</a>	Independent Living Centers and Services
<a href="#">50-07</a>	NA	Old-Age Assistance [Repealed]
<a href="#">50-08</a>	NA	Aid to Needy Blind [Repealed]
<a href="#">50-08.1</a>	<a href="#">50-08.1 Sections</a>	Aid to Pregnant Women
<a href="#">50-09</a>	<a href="#">50-09 Sections</a>	Aid to Dependent Children
<a href="#">50-10</a>	NA	Aid to Crippled Children [Repealed]
<a href="#">50-10a</a>	NA	Aid to the Permanently and Totally Disabled [Repealed]
<a href="#">50-10.1</a>	<a href="#">50-10.1 Sections</a>	Long-Term Care Ombudsmen
<a href="#">50-10.2</a>	<a href="#">50-10.2 Sections</a>	Rights of Health Care Facility Residents
<a href="#">50-10.3</a>	<a href="#">50-10.3 Sections</a>	Access to Long-Term Care Facilities
<a href="#">50-11</a>	<a href="#">50-11 Sections</a>	Foster Care Homes for Children and Adults
<a href="#">50-11.1</a>	<a href="#">50-11.1 Sections</a>	Early Childhood Services
<a href="#">50-11.2</a>	NA	Foster Care Parent Grievance [Repealed]

<https://ndlegis.gov/cencode/t50.html>





# EARLY CHILDHOOD SERVICES ADMINISTRATIVE RULE

## Overview

- ❖ ND Early Childhood Services Administrative Code (NDAC) are the rules used for the different types of licensed and certified child care programming
- ❖ In-home Provider / Self-Declaration / Family / Group / Preschool / School Age / Center
- ❖ [Licensing Information and Regulations: Early Childhood Services in North Dakota: Services: Department of Human Services: State of North Dakota](#)





# North Dakota Legislative Branch

## Article 75-03

### Community Services

Chapter	Chapter Name
<a href="#">75-03-01</a>	Supplemental Parental Child Care and Family Day Care [Superseded]
<a href="#">75-03-01.1</a>	Supplemental Parental Care and Family Day Care [Superseded]
<a href="#">75-03-02</a>	Day Care Centers [Superseded]
<a href="#">75-03-02.1</a>	Day Care Centers [Superseded]
<a href="#">75-03-03</a>	Foster Care Group Homes [Superseded]
<a href="#">75-03-04</a>	Residential Child Care Facilities [Superseded]
<a href="#">75-03-05</a>	Family Boarding Homes for Students with Disabilities [Repealed]
<a href="#">75-03-06</a>	Family Subsidy Program [Redesignated]
<a href="#">75-03-07</a>	In-Home Child Care Early Childhood Services
<a href="#">75-03-07.1</a>	Self-Declaration Providers Early Childhood Services
<a href="#">75-03-08</a>	Family Child Care Early Childhood Services
<a href="#">75-03-09</a>	Group Child Care Early Childhood Services
<a href="#">75-03-10</a>	Child Care Center Early Childhood Services
<a href="#">75-03-11</a>	Preschool Early Childhood Services
<a href="#">75-03-11.1</a>	School-Age Child Care Program Early Childhood Services

<https://www.ndlegis.gov/information/acdata/html/75-03.html>





<https://www.nd.gov/dhs/services/childcare/info/>

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## Early Childhood Services in North Dakota

### Early Childhood Services Rule Books

- [Licensed Family Child Care Providers](#)
- [Licensed Group Child Care Providers](#)
- [Licensed Child Care Centers](#)
- [Licensed Preschool Programs](#)
- [Licensed School-Age Programs](#)
- [Unlicensed Self-Declaration Providers](#)



### Licensing Information and Regulations

North Dakota law ([NDCC 50-11.1](#)) requires the Department of Human Services to administer the licensure of Early Childhood

Licensing is one form of consumer protection. Licensed child care offers parents the knowledge that providers are regulated

Child care licensing regulations are designed to protect and promote child safety and well-being in child care settings. Lice



# EARLY CHILDHOOD LICENSING POLICIES

## Overview

- ❖ ND Early Childhood Services Licensing Policies and Procedures are created and maintained by the licensing administrator and CCDF Specialist. Policies and Procedures are used to assist the licensing team navigate the Early Childhood Services ND Administrative Code (NDAC) for the various license types.
- ❖ You will see the Early Childhood Services Policies and Procedures titled SERVICE CHAPTER 620-01



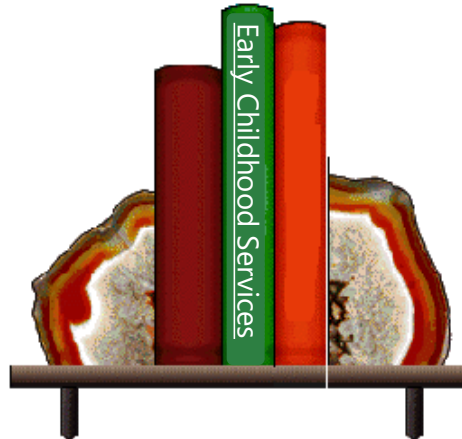
<https://www.nd.gov/dhs/policymanuals/home/EarlyChildhood.htm>

North Dakota

nd.gov Official Portal for  
North Dakota State Government

## Early Childhood Services

Thank you for visiting the Early Childhood Services section of the North Dakota Department of Human Services E-Manual system. Select the program manuals you wish to view and you will be redirected to the appropriate policy manual



[Early Child Services 620-01](#)

# RULE MAKING

**Jonathan Alm**

DHS Legal Advisory Unit



# LUNCH BREAK

# CAPITOL CAFÉ

## SOUP

Knoephla

Chili

## THE GRILLE

Black Olive &  
Feta Stuffed  
Burger  
\$7.99

## SWEET PEPPERS DELI

Create Your  
Own Sandwich  
\$6.25 (Full)  
\$3.25 (Half)  
Signature Sub  
12inch \$11.95  
6inch \$6.25



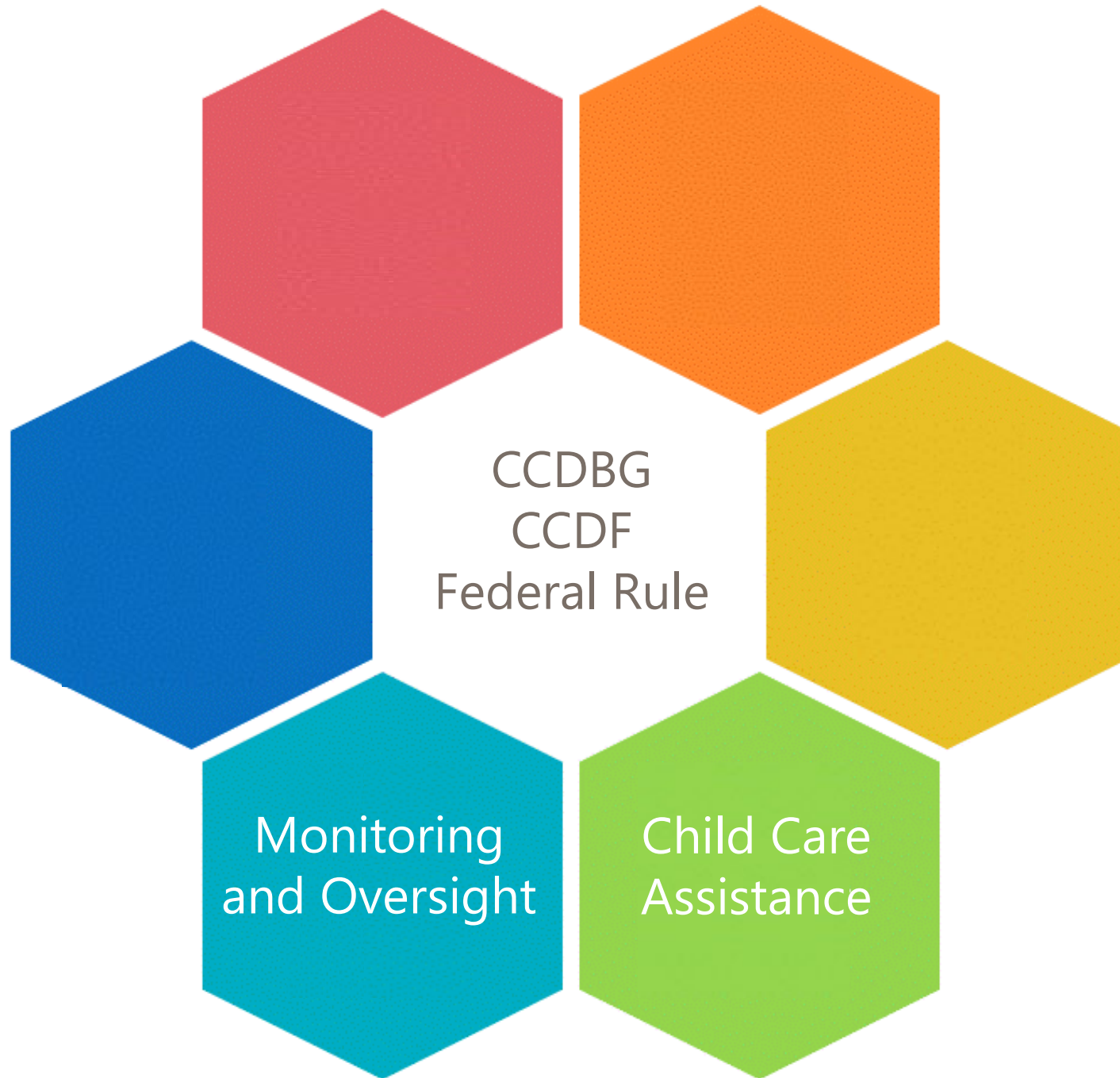
WELCOME BACK!

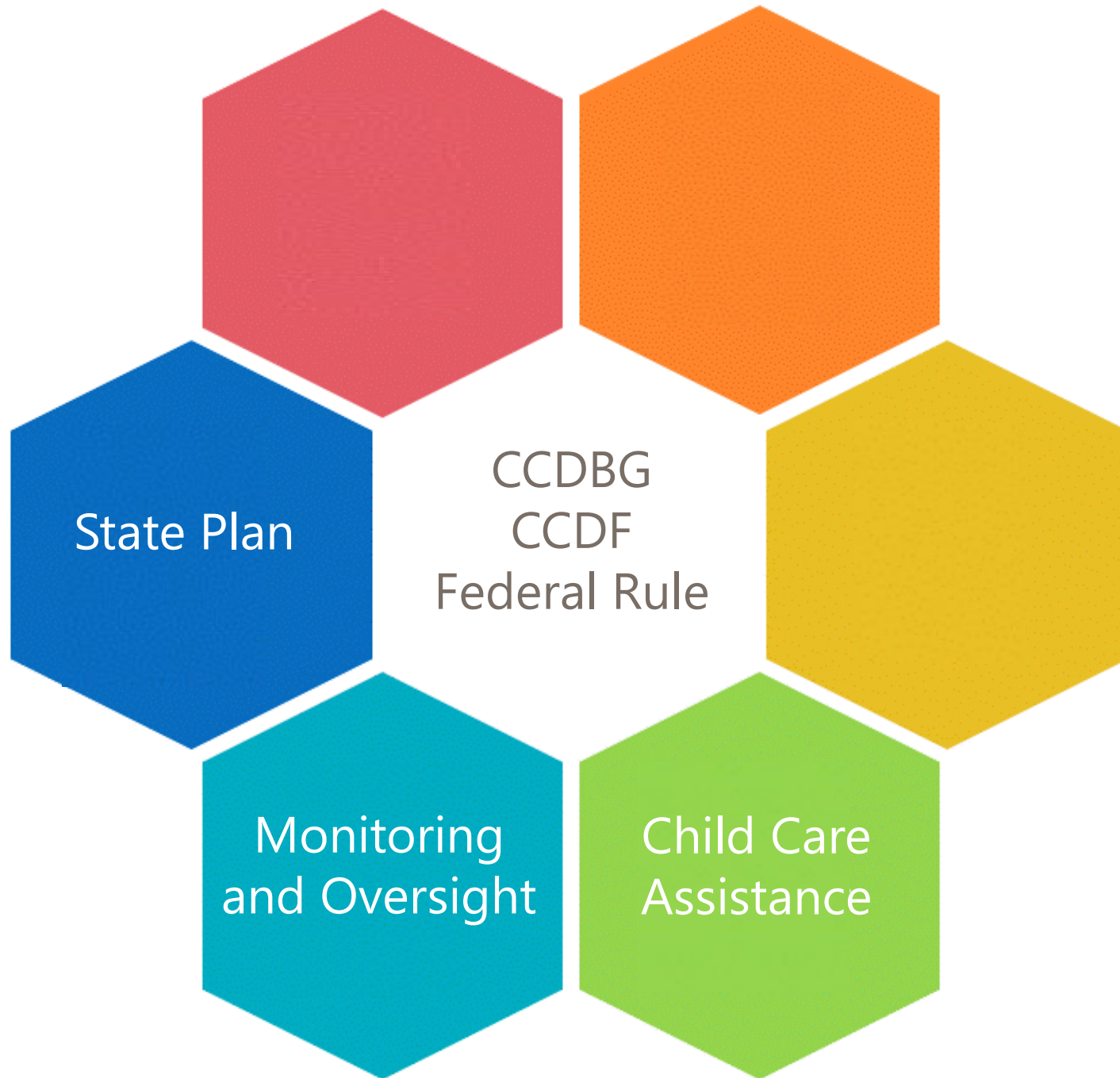












# CHILD CARE AND DEVELOPMENT FUND (CCDF)

## Overview

- ❖ Child Care and Development Block Grant Act of 1990
- ❖ Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA)
  - entitlement child care funds be transferred to a state, territory, or tribal Lead Agency for CCDBG and be administered by that agency using the provisions of the CCDBG Act
  - consolidated three federal child care programs previously serving low-income families under the program formerly known as Aid to Families with Dependent Children
    - The Administration for Children and Families (ACF) named these combined funds CCDF



# CHILD CARE AND DEVELOPMENT FUND (CCDF)

## Overview

The Child Care and Development Fund (CCDF) is the primary federal program specifically devoted to providing families with child care subsidy and funding supports to states to improve quality. The CCDF is jointly financed by federal and state governments and consists of three funding streams: mandatory, matching, and discretionary funds.

### Fundamentals of CCDF

- ❖ Leadership and coordination between child care programs and other agencies, services, and supports at the state and local levels that serve children and families
- ❖ Promote Family Engagement through Outreach and Consumer Education
- ❖ Provide Stable Child Care Financial Assistance to Families
- ❖ Ensure Equal Access to Child Care for Low-Income Children
- ❖ Establish Standards and Monitoring Processes to Ensure the Health and Safety of Child Care Settings
- ❖ Recruit and Retain a Qualified and Effective Child Care Workforce
- ❖ Support Continuous Quality Improvement
- ❖ Ensure Grantee Program Integrity and Accountability



# CHILD CARE AND DEVELOPMENT FUND (CCDF)

## Overview

- ❖ Child Care and Development Block Grant Act (CCDBG Act) was reauthorized in 2014
  - **protect** the health and safety of children in child care
  - **promote** continuity of access to subsidy for low-income families
  - better **inform** parents and the general public about the child care choices available to them
  - **improve** the overall quality of early learning and afterschool programming



# CHILD CARE AND DEVELOPMENT FUND (CCDF)

## Overview



“

Collectively, these changes reflect a new era for child care and an opportunity to **improve the learning experiences** of millions of children every day.

Research has demonstrated that access to stable, **high-quality** child care can promote **school readiness** and **success** for children, employment for parents, and **economic security** for families.

”



# CHILD CARE AND DEVELOPMENT FUND (CCDF)

## Overview

While the reforms made by the CCDBG Act benefit the children receiving child care subsidies, they also **benefit all children** cared for alongside them who receive no direct assistance from CCDF but benefit from safer child care settings with **better skilled teachers and staff**.





# CHILD CARE AND DEVELOPMENT FUND (CCDF)

## Overview



Low-income parents who receive subsidies to make child care affordable will receive **more stable assistance** as they work toward **economic security**.

# CHILD CARE AND DEVELOPMENT FUND (CCDF)

## Overview

All parents who use child care will benefit from health and safety protections for their children

- background checks for providers
- availability of public information about the health and safety track records of providers and the quality of services



# CHILD CARE AND DEVELOPMENT FUND (CCDF)

## Overview



The law also has an impact on **requirements and opportunities for professional development** for individual teachers and staff working in child care settings that serve children receiving CCDF-funded child care assistance.

Thousands of child care providers serving children receiving CCDF across the country **receive monitoring and meet health and safety standards.**

# CHILD CARE AND DEVELOPMENT FUND (CCDF)

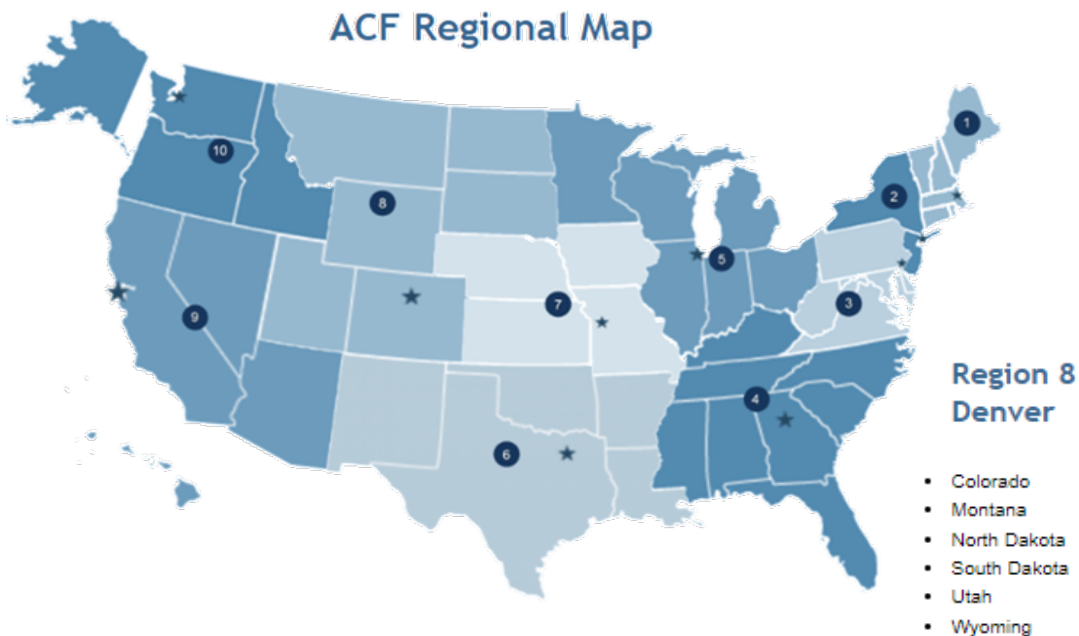
## Overview

### Monthly

- ❖ State meeting with the Regional Office
- ❖ Meeting with Regional Office and State Administrators from across Region VIII

### Every 3 years

- ❖ Onsite monitoring review
- ❖ State Plan submission and review
  - <https://www.nd.gov/dhs/services/childcare/index.html>
  - <https://www.nd.gov/dhs/info/pubs/docs/2022-2024-ccdf-state-plan.pdf>



# CARING FOR OUR CHILDREN

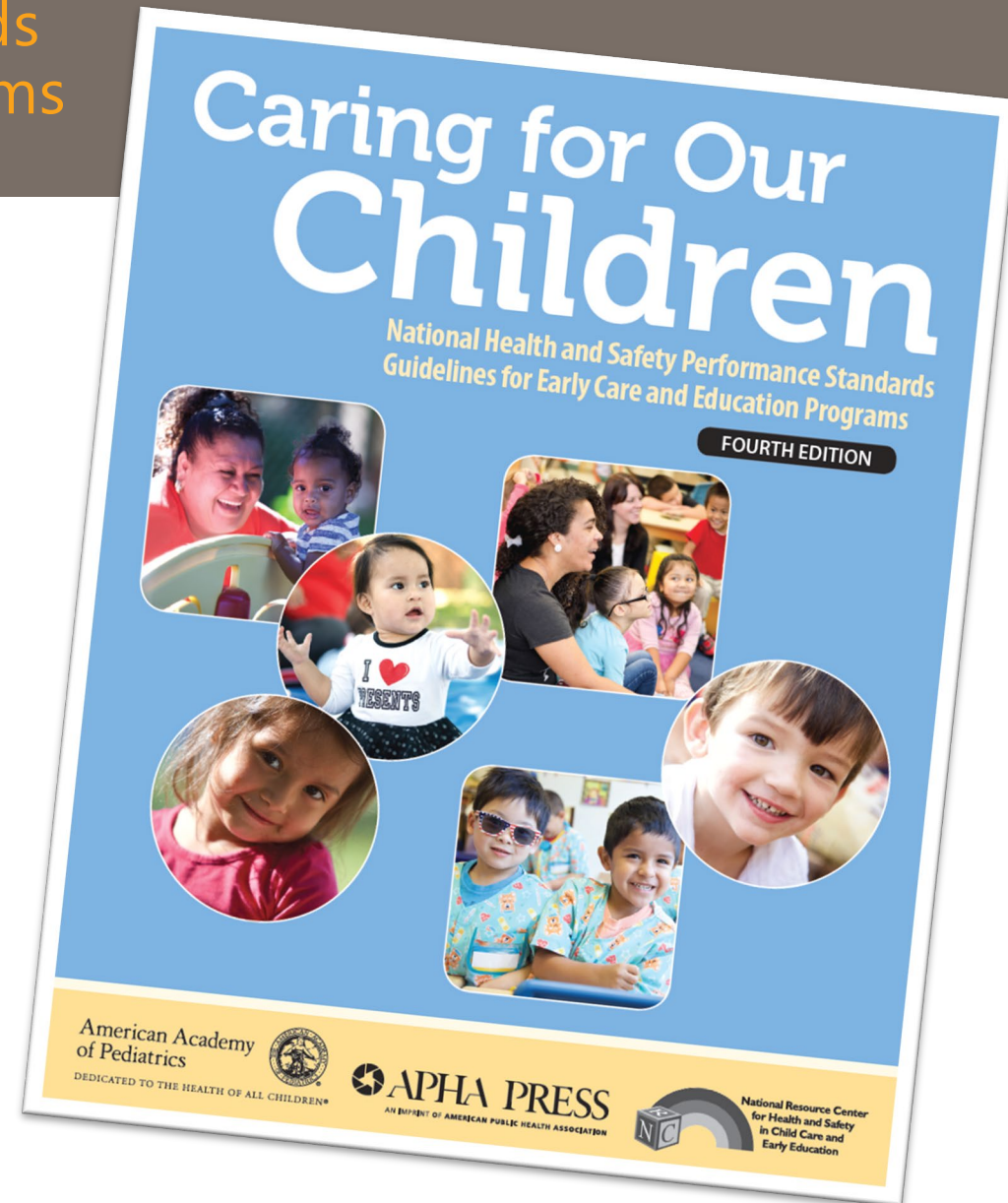
## National Health & Safety Performance Standards Guidelines for Early Care and Education Programs

Following health and safety best practices is an important way to provide quality early care and education for young children.

- ❖ American Academy of Pediatrics
- ❖ American Public Health Association
- ❖ National Resource Center for Health and Safety in Child Care and Early Education

Caring for Our Children, is a collection of national standards that represent the best practices, based on evidence, expertise, and experience, for quality health and safety policies and practices for today's early care and education settings.

- ❖ <https://nrckids.org/CFOC>



# CARING FOR OUR CHILDREN

## It Takes a Village

- ❖ Caregivers/teachers
- ❖ Early childhood systems
- ❖ Families
- ❖ Health care professionals
- ❖ Licensing professionals
- ❖ National private organizations
- ❖ Policy makers
- ❖ State Departments of Education and local school administrations
- ❖ States and localities who fund subsidized care and services for income-eligible families
- ❖ University/college faculty



# CARING FOR OUR CHILDREN

## Health & Safety Standards

- ❖ Staffing
- ❖ Program Activities for Healthy Development
- ❖ Health Promotion and Protection
- ❖ Nutrition and Food Service
- ❖ Facilities, Supplies, Equipment, and Environmental Health
- ❖ Play Areas/Playgrounds and Transportation
- ❖ Infectious Diseases
- ❖ Children with Special Health Care Needs and Disabilities
- ❖ Administration
- ❖ Licensing and Community Action



# CARING FOR OUR CHILDREN

## Health & Safety Standards



### Staffing

- Child:Staff Ratio, Group Size & Minimum Age
- Recruitment & Background Screening
- Pre-service Qualifications
- Professional Development/Training
- Substitutes
- Consultants
- Staff Health
- Human Resource Management

### Program Activities for Healthy Development

- Program of Developmental Activities
- Supervision & Discipline
- Parent/Guardian Relationships
- Health Education

### Health Promotion & Protection

- Health Promotion in Child Care
- Hygiene
- Cleaning, Sanitizing, & Disinfecting
- Health Protection in Child Care
- Care Plans and Adaptations
- Management of Illnesses



# CARING FOR OUR CHILDREN

## Health & Safety Standards



### **Nutrition & Food Service**

- General Requirements
- Requirements for Special Groups or Ages of Children
- Staffing
- Meal Service, Seating, & Supervision
- Food Brought from Home
- Nutrition Learning Experiences for Children & Nutrition Education for Parents/Guardians
- Kitchen & Equipment
- Food Safety
- Meals from Outside Vendors or Central Kitchens



### **Facilities, Supplies, Equipment & Environmental Health**

- Overall Requirements
- Quality of Outdoor & Indoor Environments
- General Furnishings & Equipment
- Space & Equipment in Designated Areas
- Storage Areas
- Supplies
- Maintenance



### **Play Areas/Playgrounds & Transportation**

- Play Area/Playground Size & Location
- Play Area/Playground Equipment
- Water Play Areas (Pools, etc)
- Toys
- Transportation

# CARING FOR OUR CHILDREN

## Health & Safety Standards



### **Infectious Diseases**

- How Infections Spread
- Immunizations
- Respiratory Tract Infections
- Enteric (Diarrheal) Infections & Hepatitis A Virus
- Skin and Mucous Membrane Infections
- Bloodborne Infections
- Herpes Virus
- Interaction with State or Local Health Departments

### **Children with Special Health Care Needs & Disabilities**

- Inclusion of Children with Special Needs in the Child Care Setting
- Process Prior to Enrolling at a Facility
- Developing a Service Plan for a Child with a Disability or a Child with Special Health Care Needs
- Coordination and Documentation
- Periodic Reevaluation
- Assessment of Facilities for Children with Special Needs
- Additional Standards for Providers Caring for Children with Special Health Care Needs

# CARING FOR OUR CHILDREN

## Health & Safety Standards



### Administration

- Governance
- Policies
- Human Resource Management
- Records

### Licensing & Community Action

- Regulatory Policy
- Licensing Agency
- Facility Licensing
- Health Department Responsibilities & Role
- Caregiver/Teacher Support
- Public Policy Issues and Resource Development

# WHAT DRIVES RULE CHANGES?

Why are we on this journey?

- ❖ Align with state laws
- ❖ Provide clarity to existing rules
- ❖ Maintain consistency among all Early Childhood rules
- ❖ Remove unnecessary barriers
- ❖ Strengthen health & safety requirements to ensure high quality care
- ❖ Align with federal requirements/meet CCDF requirements



# WHAT'S CHANGING?

The rules are being amended to ensure consistent interpretation of child care regulations and rules and to align with federal law for all categories of child care providers.

- ❖ Self-Declaration 75-03-07.1
- ❖ Family 75-03-08
- ❖ Group 75-03-09
- ❖ Center 75-03-10
- ❖ Preschool 75-03-11
- ❖ School-Age 75-03-11.1





# North Dakota Legislative Branch

## Article 75-03

### Community Services

Chapter	Chapter Name
<a href="#">75-03-01</a>	Supplemental Parental Child Care and Family Day Care [Superseded]
<a href="#">75-03-01.1</a>	Supplemental Parental Care and Family Day Care [Superseded]
<a href="#">75-03-02</a>	Day Care Centers [Superseded]
<a href="#">75-03-02.1</a>	Day Care Centers [Superseded]
<a href="#">75-03-03</a>	Foster Care Group Homes [Superseded]
<a href="#">75-03-04</a>	Residential Child Care Facilities [Superseded]
<a href="#">75-03-05</a>	Family Boarding Homes for Students with Disabilities [Repealed]
<a href="#">75-03-06</a>	Family Subsidy Program [Redesignated]
<a href="#">75-03-07</a>	In-Home Child Care Early Childhood Services
<a href="#">75-03-07.1</a>	Self-Declaration Providers Early Childhood Services
<a href="#">75-03-08</a>	Family Child Care Early Childhood Services
<a href="#">75-03-09</a>	Group Child Care Early Childhood Services
<a href="#">75-03-10</a>	Child Care Center Early Childhood Services
<a href="#">75-03-11</a>	Preschool Early Childhood Services
<a href="#">75-03-11.1</a>	School-Age Child Care Program Early Childhood Services

<https://www.ndlegis.gov/information/acdata/html/75-03.html>



<https://www.nd.gov/dhs/services/childcare/info/>

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## Early Childhood Services in North Dakota

### Early Childhood Services Rule Books

- [Licensed Family Child Care Providers](#)
- [Licensed Group Child Care Providers](#)
- [Licensed Child Care Centers](#)
- [Licensed Preschool Programs](#)
- [Licensed School-Age Programs](#)
- [Unlicensed Self-Declaration Providers](#)



### Licensing Information and Regulations

North Dakota law ([NDCC 50-11.1](#)) requires the Department of Human Services to administer the licensure of Early Childhood

Licensing is one form of consumer protection. Licensed child care offers parents the knowledge that providers are regulated

Child care licensing regulations are designed to protect and promote child safety and well-being in child care settings. Lice

# SELF-DECLARATION PROVIDERS

## 75-03-07.1

### **75-03-07.1-02. Self-declaration standards - Application.**

4. The provider shall be directly responsible for the care, supervision, and guidance of the children.
  - a. The provider:
    - (8) Shall verify that the child has received all immunizations appropriate for the child's age, as prescribed by the state department of health, or have on file a document stating that the child is medically exempt or exempt from immunizations based on religious, philosophical, or moral beliefs, ~~unless the child is a drop-in or school-age child~~;

### **75-03-07.1-02(4)(a)(8)**

- ✓ Removing immunization record exemption for drop-in and school age children to align with federal law.



# SELF-DECLARATION PROVIDERS

## 75-03-07.1

### 75-03-07.1-02. Self-declaration standards - Application.

4. The provider shall be directly responsible for the care, supervision, and guidance of the children.
  - a. The provider:
    - (15) Shall be currently certified in pediatric first aid by a program approved by the department;
    - (16) Shall complete a minimum of three hours of department-approved training annually, including one hour on sudden infant death prevention prior to provider caring for ~~having unsupervised access to~~ infants. The same training courses may be counted toward self-declaration annual requirements only if at least three years has passed since the last completion date of that training course, with the exception of sudden infant death prevention annual training;
    - (17) Shall ensure the emergency designee is currently certified in infant and pediatric cardiopulmonary resuscitation and the use of an automated external defibrillator by the American heart association, American red cross, or other similar cardiopulmonary resuscitation and automated external defibrillator training programs that are approved by the department;
    - (18) Shall ensure the emergency designee is currently certified in pediatric first aid by a program approved by the department;
    - (19) Shall ensure the emergency designee certifies completion of a department-approved basic child care course within ninety days;
    - (20) Shall ensure that the emergency designee completes one hour of department-approved training on sudden infant death prevention prior to emergency designee providing care ~~having unsupervised access to~~ infants and annually thereafter; ~~and~~

### 75-03-07.1-02(4)(a)(15,18)

- ✓ Adding wording to clarify first aid training must be a pediatric certification to align with federal law.

### 75-03-0731-02(4)(a)(16,20)

- ✓ Updating language requiring sudden infant death training to be completed prior to care for infants.

# SELF-DECLARATION PROVIDERS

75-03-07.1

## 75-03-07.1-02. Self-declaration standards - Application.

4. The provider shall be directly responsible for the care, supervision, and guidance of the children.

a. The provider:

(22) The provider shall report to the department or its authorized agent within twenty-four hours:

- i. A death or serious accident or illness requiring hospitalization of a child while in the care of the self-declaration provider or attributable to care received by the self-declaration provider;
- ii. An injury to any child which occurs while the child is in the care of the self-declaration provider and which requires medical treatment;
- iii. Poisonings or errors in the administration of medication;
- iv. Closures or relocation of self-declaration program due to emergencies; and
- v. Fire that occurs or explosions that occur in or on the premises of the self-declaration provider;

## 75-03-07.1-02(4)(a)(22)

- ✓ Adding subsection regarding provider reporting requirements.

# SELF-DECLARATION PROVIDERS

## 75-03-07.1

### **75-03-07.1-02. Self-declaration standards - Application.**

4. The provider shall be directly responsible for the care, supervision, and guidance of the children.

a. The provider:

(23) If children in care require medication, the provider shall secure written permission and follow proper instructions as to the administration of medication.

i. Medication prescribed by a medical provider must be accompanied by the medical provider's written instructions as to dosage and storage and labeled with the child's name and date.

ii. The provider shall store medications in an area inaccessible to children.

iii. Medications stored in a refrigerator must be stored collectively in a spill proof container.

iv. The provider shall keep a written record of the administration of medication, including over-the-counter medication, for each child. Records must include the date and time of each administration, the dosage, the name of the staff member administering the medication, and the name of the child. Completed medication records must be included in the child's record; and

~~(21)~~(24) Shall notify parents/guardians of contacts to the child or staff member with presumed or confirmed reportable infectious disease.

### **75-03-07.1-02(4)(a)(23)**

✓ Adding medication administration requirements to align with federal law.

### **75-03-0731-02(4)(a)(24)**

✓ Adding subsection regarding notification of reportable infectious disease close contact.

# SELF-DECLARATION PROVIDERS

## 75-03-07.1

### **75-03-07.1-02. Self-declaration standards - Application.**

- c. Household members ~~over the~~ age ~~of~~ twelve and older shall complete, and the provider shall submit to the department or its authorized agent, a department-approved authorization for background check form at the time of application or upon obtaining residence at the location of the child care.

### **75-03-07.1-06(6)(c)**

- ✓ Updating language to clarify age of household members who are required to submit a department-approved authorization for background check form.
  - 12-17 years: SFN 433 Child Abuse and Neglect Background Inquiry
  - 18 year and older: full fingerprint background check

# FAMILY CHILD CARE

75-03-08

## 75-03-08-08.1. Duties of the provider.

1. A provider shall be currently certified:
  - a. In infant and pediatric cardiopulmonary resuscitation and the use of an automated external defibrillator by the American heart association, American red cross, or other similar cardiopulmonary resuscitation and automated external defibrillator training programs that are approved by the department; and
  - b. In pediatric first aid by a program approved by the department.

## 75-03-08-10. Minimum qualifications of providers.

A provider shall:

4. Certify ~~annual~~ completion of one hour of department-approved sudden infant death prevention training prior to provider caring for having unsupervised access to infants and annually thereafter.

## 75-03-08-08.1(1)(b)

- ✓ Adding wording to clarify first aid training must be a pediatric certification to align with federal law.

## 75-03-08-10(4)

- ✓ Updating language requiring sudden infant death training to be completed prior to caring for infants.

# FAMILY CHILD CARE

75-03-08

## **75-03-08-12. Minimum qualifications for all staff members responsible for caring for or teaching children.**

Each staff member who provides care shall:

5. Be currently certified within ninety days of employment and prior to staff member having unsupervised access to children under care, in pediatric first aid by a program approved by the department;
6. Certify annual completion of one hour of department-approved sudden infant death prevention training prior to staff member providing care having unsupervised access to infants and annually thereafter; and

## **75-03-08-21.1. Minimum sanitation and safety requirements.**

7. The provider shall establish practices in accordance with guidance obtained through consultation with local or state health department authorities regarding the exclusion and return of children with infectious or communicable conditions. The provider may obtain this guidance directly or through current published materials regarding exclusion and return to the family child care. Provider shall notify parents/guardians of contacts to the child or staff member with presumed or confirmed reportable infectious disease.

## **75-03-08-12(5)**

- ✓ Adding wording to clarify first aid training must be a pediatric certification to align with federal law.

## **75-03-08-12(6)**

- ✓ Updating language requiring sudden infant death training to be completed prior to caring for infants.

## **75-03-08-21.1(7)**

- ✓ Adding language regarding notification of reportable infectious disease close contact.

# FAMILY CHILD CARE

75-03-08

## 75-03-08-22. Records.

2. The provider shall maintain the following records:
  - d. Verification that the child has received all immunizations appropriate for the child's age, as prescribed by the state department of health, or have on file a document citing that the child is medically exempt or exempt from immunizations based on religious, philosophical, or moral beliefs, ~~unless the child is a drop-in or school-age child~~; and

## 75-03-08-28. Child abuse and neglect decisions.

3. Household members ~~over the age of~~ twelve and older shall complete, and the provider shall submit to the department or its authorized agent, a department-approved authorization for background check form at the time of application, relicensure, or upon obtaining residence at the location of the family child care.

## 75-03-08-22(2)(d)

- ✓ Removing immunization record exemption for drop-in and school age children to align with federal law.

## 75-03-08-28(3)

- ✓ Updating language to clarify age of household members who are required to submit a department-approved authorization for background check form.
  - 12-17 years: SFN 433 Child Abuse and Neglect Background Inquiry
  - 18 year and older: full fingerprint background check

# GROUP CHILD CARE

75-03-09

## 75-03-09-10. Minimum qualifications of group child care supervisor.

3. The group child care supervisor shall certify completion of a minimum of ten hours of department-approved training related to child care annually, including one hour on sudden infant death prevention prior to ~~provider having unsupervised access to caring for~~ infants. A department-approved basic child care course must be completed within ninety days of employment. The ten hours of training in the first year following initial licensure must include a department-approved basic child care course. The same training courses may be counted toward licensing annual requirements only if at least three years has passed since the last completion date of that training course, with the exception of sudden infant death prevention annual training.

## 75-03-09-12. Minimum qualifications for all staff members responsible for caring for or teaching children.

Staff members shall:

7. Certify ~~annual~~ completion of one hour of department-approved sudden infant death prevention training prior to staff member providing care having unsupervised access to infants and annually thereafter;
10. Be currently certified within ninety days of employment and prior to staff member having unsupervised access to children in care, in pediatric first aid by a program approved by the department.

## 75-03-09-10(3)

- ✓ Updating language requiring sudden infant death training to be completed prior to caring for infants.
- ✓ Adding language to clarify the basic child care course must be completed within ninety days of employment.

## 75-03-09-12(7)

- ✓ Updating language requiring sudden infant death training to be completed prior to caring for infants.

## 75-03-09-12(10)

- ✓ Adding wording to clarify first aid training must be a pediatric certification to align with federal law.



# GROUP CHILD CARE

75-03-09

## 75-03-09-22. Records.

2. The provider shall maintain the following records:
  - f. Verification that the child has received all immunizations appropriate for the child's age, as prescribed by the state department of health, or have on file a document citing that the child is medically exempt or exempt from immunizations based on religious, philosophical, or moral beliefs, ~~unless the child is a drop-in or school-age child~~; and

## 75-03-09-24. Specialized types of care and minimum requirements.

3. Drop-in group child care.
  - c. The provider shall ensure that records secured comply with all enrollment requirements contained in section 75-03-09-22, ~~except the immunization verification record requirement~~.

75-03-09-22(2)(f)

75-03-09-24(3)(c)

- ✓ Removing immunization record exemption for drop-in and school age children to align with federal law.

# GROUP CHILD CARE

75-03-09

## 75-03-09-26. Minimum provisions regarding emergency care for children.

.12. Notify parents/guardians of contacts to the child or staff member with presumed or confirmed reportable infectious disease.

## 75-03-09-28. Child abuse and neglect decisions.

3. Household members ~~over the~~ age ~~of~~ twelve and older shall complete, and the provider shall submit to the department or its authorized agent, a department-approved authorization for background check form at the time of application or relicensure or upon obtaining residence at the location of the group child care.

## 75-03-09-26(12)

- ✓ Adding subsection regarding notification of reportable infectious disease close contact.

## 75-03-09-28(3)

- ✓ Removing immunization record exemption for drop-in and school age children to align with federal law.
  - 12-17 years: SFN 433 Child Abuse and Neglect Background Inquiry
  - 18 year and older: full fingerprint background check

# CENTER CHILD CARE

75-03-10

## **75-03-10-10. Minimum qualifications of child care center director.**

A director shall:

4. Certify annual completion of a minimum of thirteen hours of department-approved training related to child care, including one hour on sudden infant death prevention prior to the director ~~having unsupervised access to caring for~~ infants. The same training courses may be counted toward licensing annual requirements only if at least three years has passed since the last completion date of that training course, with the exception of sudden infant death prevention annual training.

## **75-03-10-11.1. Minimum qualifications of child care center supervisor.**

A supervisor shall:

5. Successfully complete a department-approved basic child care course within ~~the first three months~~ ninety days of employment; and

## **75-03-10-10(4)**

- ✓ Updating language requiring sudden infant death training to be completed prior to caring for infants.

## **75-03-10-11.1(5)**

- ✓ Updating wording to provide consistency among Early Childhood Services Administrative Rule chapters.

# CENTER CHILD CARE

75-03-10

## **75-03-10-12. Minimum qualifications for all staff members responsible for caring for or teaching children.**

### 1. Staff members:

- e. Shall be currently certified within ninety days of employment and prior to staff member having unsupervised access to children under care, in pediatric first aid by a program approved by the department;
- f. Shall certify the staff member's own annual successful completion of the department-approved training related to child care as set forth below:
  - (5) Completion of one hour on sudden infant death prevention prior to the staff member providing care having unsupervised access to infants;

### **75-03-10-12(1)(e)**

- ✓ Adding wording to clarify first aid training must be a pediatric certification to align with federal law.

### **75-03-10-12(1)(f)(5)**

- ✓ Updating language requiring sudden infant death training to be completed prior to caring for infants.

# CENTER CHILD CARE

75-03-10

## **75-03-10-22. Records.**

2. The operator shall maintain the following records:

- f. Verification that the child has received all immunizations appropriate for the child's age, as prescribed by the state department of health, or have on file a document stating that the child is medically exempt or exempt from immunizations based on religious, philosophical, or moral beliefs, ~~unless the child is a drop-in or school-age child~~; and

## **75-03-10-24. Specialized types of care and minimum requirements.**

3. Drop-in child care.

- c. The operator shall ensure that admission records comply with all enrollment requirements contained in section 75-03-10-22, ~~except the immunization verification record requirement.~~

## **75-03-10-26. Minimum provisions regarding emergency care for children.**

10. Notify parents/guardians of contacts to the child or staff member with presumed or confirmed reportable infectious disease;

## **75-03-10-22(2)(f)**

## **75-03-10-24(3)(c)**

- ✓ Removing immunization record exemption for drop-in and school age children to align with federal law.

## **75-03-10-26(10)**

- ✓ Adding subsection regarding notification of reportable infectious disease close contact.

# PRESCHOOL

75-03-11

## **75-03-11-13. Minimum health and training requirements for applicants, operators, and staff members.**

2. A staff member or household member may not use or be under the influence of any alcoholic beverages or illegal drugs while children are in care.
  
7. All staff members shall be currently certified within ninety days of employment and prior to staff member having unsupervised access to children under care, in pediatric first aid by a program approved by the department.

## **75-03-11-18. Minimum sanitation and safety requirements.**

19. The operator shall ensure that soiled or wet clothes, diapers, and other items are stored in a sanitary, covered container, separate from other garbage and waste until removed from the preschool facility.

## **75-03-11-13(2)**

- ✓ Adding wording to include household members if care is provided in a private residence.

## **75-03-11-13(7)**

- ✓ Adding wording to clarify first aid training must be a pediatric certification to align with federal law.

## **75-03-11-18(19)**

- ✓ Adding subsection to address safe handling of bio-contaminants to provide consistency among Early Childhood Services Administrative Rule chapters and align with federal law.

# PRESCHOOL

75-03-11

## 75-03-11-22. Records.

2. The operator shall maintain the following records:
  - e. Verification that the child has received all immunizations appropriate for the child's age, as prescribed by the state department of health, or have on file a document citing that the child is medically exempt or exempt from immunizations based on religious, philosophical, or moral beliefs, ~~unless the child is a drop-in child~~; and

## 75-03-11-23. Discipline - Punishment prohibited.

10. A staff member, household member, or any other adult in or at the preschool may not kick, punch, spank, shake, pinch, bite, roughly handle, strike, mechanically restrain, or physically maltreat a child.

## 75-03-11-26. Minimum provisions regarding emergency care for children.

13. Notify parents/guardians of contacts to the child or staff member with presumed or confirmed reportable infectious disease.

## 75-03-11-22(2)(e)

- ✓ Removing immunization record exemption for drop-in children to align with federal law.

## 75-03-11-23(10)

- ✓ Adding wording to include household members if care is provided in a private residence.

## 75-03-11-26

- ✓ Adding subsection regarding notification of reportable infectious disease close contact.

# PRESCHOOL

75-03-11

## 75-03-11-27. Effect of conviction on licensure and employment.

1. An applicant, operator, or director may not be, and a preschool may not employ or allow, in any capacity that involves or permits contact between the teacher, assistant, emergency designee, ~~or~~ staff member, or household member and any child cared for by the preschool, an operator, director, staff member, teacher, assistant, ~~or~~ emergency designee, or household member who has been found guilty of, pled guilty to, or pled no contest to:
  - c. An offense, other than an offense identified in subdivision a or b, if the department in the case of an applicant, operator, household member, or director, or the operator in the case of a staff member, teacher, assistant, substitute staff member, or emergency designee, determines that the individual has not been sufficiently rehabilitated. An offender's completion of a period of five years after final discharge or release from any term of probation, parole, or other form of community corrections or imprisonment, without subsequent charge or conviction, is prima facie evidence of sufficient rehabilitation.

75-03-11-27(1)

75-03-11-27(1)(c)

- ✓ Adding wording to include household members if care is provided in a private residence.



# PRESCHOOL

75-03-11

## 75-03-11-28. Child abuse and neglect determinations.

An operator shall ensure safe care for the children receiving services in the preschool.

1. If a confirmed decision made under North Dakota Century Code chapter 50-25.1 or a similar finding in another jurisdiction which requires proof of substantially similar elements exists, indicating that a child has been abused or neglected by any applicant, operator, director, teacher, assistant, staff member, substitute staff member, ~~or~~ emergency designee, or household member, it has a direct bearing on the applicant's or operator's ability to serve the public in a capacity involving the provision of child care and the application or license may be denied or revoked. If a confirmed determination under North Dakota Century Code chapter 50-25.1 or a similar finding in another jurisdiction which requires proof of substantially similar elements exists indicating that any child has been abused or neglected by the applicant, operator, director, teacher, assistant, staff member, substitute staff member, ~~or~~ emergency designee, or household member, the applicant or operator shall furnish information satisfactory to the department, from which the department can determine the applicant's, operator's, director's, teacher's, assistant's, staff member's, substitute staff member's, or emergency designee's ability to provide care that is free of abuse and neglect. The department shall furnish the determination of current ability to the applicant or operator.

.3. Household members age twelve and older shall complete, and the provider shall submit to the department or its authorized agent, a department-approved authorization for background check form at the time of application, relicensure, or upon obtaining residence at the location of the preschool.

## 75-03-11-28(1)

- ✓ Adding wording to include household members if care is provided in a private residence.

## 75-03-11-28(3)

- ✓ Adding new subsection to include household members if care is provided in a private residence.
  - 12-17 years: SFN 433 Child Abuse and Neglect Background Inquiry
  - 18 year and older: full fingerprint background check

# SCHOOL AGE CHILD CARE

## 75-03-11.1

### **75-03-11.1-08.4. Minimum qualifications for all school-age child care program staff members responsible for caring for or teaching children.**

8. All staff members shall be currently certified within ninety days of employment and prior to staff member having unsupervised access to children under care, in pediatric first aid by a program approved by the department.

### **75-03-11.1-13. Minimum health requirements for all applicants, operators, and staff members.**

2. A staff member or household member may not use or be under the influence of any illegal drugs or alcoholic beverages while caring for children.

### **75-03-11.1-22. Records.**

2. The operator shall maintain the following records and shall keep copies at the school age program premises where the child is enrolled:

f. Verification that the child has received all immunizations appropriate for the child's age, as prescribed by the state department of health, or have on file a document stating that the child is medically exempt or exempt from immunizations based on religious, philosophical, or moral beliefs;

### **75-03-11.1-08.4(8)**

- ✓ Adding wording to clarify first aid training must be a pediatric certification to align with federal law.

### **75-03-11.1-13(2)**

- ✓ Adding wording to include household members if care is provided in a private residence.

### **75-03-11.1-22(2)**

- ✓ Adding immunization record requirement to align with federal law.

# SCHOOL AGE CHILD CARE

## 75-03-11.1

### **75-03-11.1-23. Discipline - Punishment prohibited.**

10. A staff member, household member, or any other adult at the school-age child care program may not kick, punch, spank, shake, pinch, bite, roughly handle, strike, mechanically restrain, or physically maltreat a child.

### **75-03-11.1-26. Minimum provisions regarding emergency care for children.**

11. Notify parents/guardians of contacts to the child or staff member with presumed or confirmed reportable infectious disease;

### **75-03-11.1-27. Effect of conviction on licensure and employment.**

1. An applicant, operator, director, or supervisor may not be, and a school-age child care program may not employ or allow, in any capacity that involves or permits contact between the emergency designee, substitute staff member, ~~or~~ staff member, or household member and any child cared for by the school-age child care program, an operator, emergency designee, substitute staff member, director, supervisor, ~~or~~ staff member, or household member who has been found guilty of, pled guilty to, or pled no contest to:
  - c. An offense, other than an offense identified in subdivision a or b, if the department in the case of a school-age child care program applicant, operator, director, ~~or~~ supervisor, or household member, or the school-age child care program operator in the case of an emergency designee, substitute staff member, or staff member, determines that the individual has not been sufficiently rehabilitated. An offender's completion of a period of five years after final discharge or release from any term of probation, parole, or other form of community corrections or imprisonment, without subsequent charge or conviction, is prima facie evidence of sufficient rehabilitation.

### **75-03-11.1-23(10)**

- ✓ Adding wording to include household members if care is provided in a private residence.

### **75-03-11.1-26(11)**

- ✓ Adding subsection regarding notification of reportable infectious disease close contact.

### **75-03-11.1-27(1)**

### **75-03-11.1-27(1)(c)**

- ✓ Adding wording to include household members if care is provided in a private residence.

# SCHOOL AGE CHILD CARE

## 75-03-11.1

### **75-03-11.1-28. Child abuse and neglect decisions.**

An operator shall ensure safe care for the children receiving services in the school-age child care program.

1. If a confirmed decision made under North Dakota Century Code chapter 50-25.1 or a similar finding in another jurisdiction which requires proof of substantially similar elements exists, indicating that a child has been abused or neglected by an applicant, operator, director, supervisor, emergency designee, substitute staff member, ~~or~~ staff member, or household member, that decision has a direct bearing on the applicant's or operator's ability to serve the public in a capacity involving the provision of child care and the application or license may be denied or revoked. If a confirmed determination under North Dakota Century Code chapter 50-25.1 or a similar finding in another jurisdiction which requires proof of substantially similar elements exists indicating that a child has been abused or neglected by the applicant, operator, director, supervisor, emergency designee, substitute staff member, ~~or~~ staff member, or household member, the applicant or operator shall furnish information satisfactory to the department from which the department can determine the applicant's, operator's, director's, supervisor's, emergency designee's, substitute staff member's, or staff member's ability to provide care that is free of abuse and neglect. The department shall furnish the determination of current ability to the applicant or operator.
3. Household members age twelve and older shall complete, and the provider shall submit to the department or its authorized agent, a department-approved authorization for background check form at the time of application, relicensure, or upon obtaining residence at the location of the school age child care.

### **75-03-11.1-28(1)**

- ✓ Adding wording to include household members if care is provided in a private residence.

### **75-03-11.1-28(3)**

- ✓ Adding new subsection to include household members if care is provided in a private residence.
  - 12-17 years: SFN 433 Child Abuse and Neglect Background Inquiry
  - 18 year and older: full fingerprint background check

*Questions?*

*Additional Discussion?*





*Thank you!*

