

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 570

Short Title: Hold Harmless Star Ratings/ERS Assess. Resume. (Public)

Sponsors: Senators Krawiec, Burgin, and Perry (Primary Sponsors).

Referred to: Rules and Operations of the Senate

April 7, 2021

A BILL TO BE ENTITLED
AN ACT TO HOLD HARMLESS CERTAIN FACILITIES WHEN THE DEPARTMENT OF
HEALTH AND HUMAN SERVICES RESUMES ENVIRONMENTAL RATING SCALE
(ERS) (STAR RATING) ASSESSMENTS FOR LICENSED CHILD CARE FACILITIES
AND TO PROVIDE FOR CERTAIN OTHER FLEXIBILITIES WHEN THE ERS
ASSESSMENTS RESUME.

The General Assembly of North Carolina enacts:

SECTION 1. Notwithstanding any other provision of law to the contrary, when the Department of Health and Human Services, Division of Child Development and Early Education (Division), resumes environmental rating scale (ERS) (star rating) assessments, the Division shall not require a licensed child care facility to undergo an ERS assessment if conducting the assessment would cause the child care facility to lose a star rating due to (i) the facility's loss in educators who enabled the facility to meet the star-rating requirements and (ii) its inability to replace those educators, within a reasonable period of time, with individuals having similar levels of education.

SECTION 2. Notwithstanding any other provision of law to the contrary, when ERS assessments resume, the Division of Child Development and Early Education (Division) shall do the following:

- (1) When awarding quality rating improvement system (QRIS) "education points" to a licensed child care facility toward its star rating, if the percentage of lead teachers in the program required to meet the "rated licensed education requirements" criteria is set at seventy-five percent (75%) for the program to earn those "education points" toward the facility's star rating, the Division shall lower the seventy-five percent (75%) threshold to fifty percent (50%) of lead teachers through June 30, 2027.
- (2) Recognize early childhood educators who are currently enrolled in an accredited early childhood education program working toward either an associate degree or a bachelor's or master's degree in early childhood education by awarding one QRIS "education point" for every two staff members enrolled at the time of the ERS assessment to the licensed child care facility's cumulative final "education points" earned after all staff members in the program are assessed.

SECTION 3. Section 1 of this act is effective when it becomes law and expires six months after the date the Governor signs an executive order rescinding Executive Order No. 116, Declaration of a State of Emergency to Coordinate Response and Protective Actions to Prevent



- 1 the Spread of COVID-19. Subdivision 2(1) of this act is effective when it becomes law and
2 expires June 30, 2027. The remainder of this act is effective when it becomes law.