

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

SESSION LAW 2021-127
SENATE BILL 570

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, TO PROVIDE FOR CERTAIN OTHER FLEXIBILITIES WHEN THE ERS ASSESSMENTS RESUME, AND TO REQUIRE THE DIVISION OF CHILD DEVELOPMENT AND EARLY EDUCATION TO REPORT ON SPECIFIED CRITERIA.

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 and the Division of Child Development and Early Education (Division) is 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, 2023.

SECTION 2.5. The Division of Child Development and Early Education shall submit a report to the Joint Legislative Oversight Committee on Health and Human Services by March 30, 2023, and the report shall include the following:

- (1) Number of new high school Early Childhood Career and Technical Pathways programs across the state between June 30, 2021, and January 31, 2023.
- (2) New community college and university courses that award college credit towards a degree in early childhood based on work experience between June 30, 2021, and January 31, 2023.
- (3) New community college and university courses that allow college credits for taking online health, safety, and nutrition training modules between June 30, 2021, and January 31, 2023.
- (4) Number of enrollees in the Early Childhood and Infant-Toddler Certificate Programs, number of graduates from the programs with certificates, and the increase in the number of enrollees and graduates from the programs between June 30, 2021, and January 31, 2023.
- (5) Number of early childhood educators using T.E.A.C.H. Scholarships to pay for college tuition and the increase in the number of early childhood educators



using T.E.A.C.H. scholarships to pay for college tuition between June 30, 2021, and January 31, 2023.

- (6) Availability of WAGE\$ salary supplement program by county, the number of early childhood educators working toward degrees in early childhood education who received salary supplements from WAGE\$, and the increase in the number of early childhood educators receiving WAGE\$ salary supplements between June 30, 2021, and January 31, 2023.
- (7) The number and percentage increase of early childhood educators with associate degrees in early childhood education between June 30, 2021, and January 31, 2023.
- (8) The number and percentage increase of early childhood educators with associate degrees between June 30, 2016, and June 30, 2021.

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 the Spread of COVID-19. Section 2 of this act is effective when it becomes law and expires June 30, 2023. The remainder of this act is effective when it becomes law.

In the General Assembly read three times and ratified this the 25th day of August, 2021.

s/ Phil Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Roy Cooper
Governor

Approved 11:50 a.m. this 30th day of August, 2021