

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL DRS45287-LU-68B

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

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

Referred to:

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

7 The General Assembly of North Carolina enacts:

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

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

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

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



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- 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.