

Chapter 15: RELIGIOUS SPONSORED CHILD CARE

Purpose Of These Requirements

In North Carolina, religious sponsored child care centers (those operated by a church, synagogue, or school of religious charter) that meet the definition of child care must be regulated by the Division. This chapter focuses on the child care requirements set forth for religious sponsored child care centers. Under the child care law, religious sponsored centers have the option to operate under the provisions of North Carolina General Statute 110-106. This means that they are allowed to be exempt from meeting some of the child care requirements, but they do have to meet basic health and safety requirements. This chapter describes these exemptions. Centers that elect to operate under the provisions of G.S. 110-106 will be issued a “Notice of Compliance” rather than a Star Rated License. Religious sponsored centers may elect to apply for a Star Rated License and therefore would be expected to comply with all child care licensing requirements, prior to receiving a Star Rated License.

Definitions

Religious sponsored child care facility: includes any child care facility or summer day camp operated by a church, synagogue, or school of religious charter.

Church: An operator of a child care center that is a specified religious denomination.

Synagogue: An operator of a child care center that provides a place of worship and communal center of a Jewish congregation.

Religious Sponsored School: a child care program affiliated with a religious facility that meets the classification of a school. To be classified as a school, the program must file with and meet, the requirements set forth by the Division of Non-Public Education.

Most of the rules in the Child Care Center Handbook apply to religious sponsored child care centers. In this chapter, however, each section will identify chapters where exceptions occur for religious sponsored child care centers. Then the specific rules that either do not apply, or have different requirements for religious sponsored child care centers will be explained.

The rules in this chapter apply only to those centers that have chosen to take the exemptions that the law allows for religious sponsored child care centers. These centers are sometimes called “Exempt Centers” meaning that they are exempt from some of the child care law and rules, but must meet basic health and safety requirements.

SECTION 1: GETTING STARTED

NC GENERAL STATUTE 110-106 and CHILD CARE RULE .2101

Notification of Plans to Operate a Center

- ★ The religious sponsored entity must notify the Division if they plan to operate a child care center.

- ☑ This notification is referred to as a “Letter of Intent to Operate.”

NC GENERAL STATUTE 110-106 and CHILD CARE RULE .2201

Letter Of Intent to Operate

- ★ At least 30 days prior to the first day of operation of a new religious sponsored child care program, the prospective operator must send a “Letter of Intent to Operate” to the Division.
- ★ The Letter of Intent to Operate must be written on letterhead of the religious sponsor and include at least the following information:
 - Name of Operation/Religious Sponsor
 - Address of Operator/Religious Sponsor
 - Telephone Number of Operator/Religious Sponsor
 - Proposed Name of Center
 - Address of Center
 - Telephone Number of Center
 - Proposed Number of Children
 - Proposed Age Range of Children
 - Scheduled Opening Date of Center
 - Name of Contact Person for the Center
 - Signature of an Authorized Person Representing the Religious Sponsor

- ☑ The Division will send the prospective operator a “Response Letter” after the Letter of Intent to Operate is received. This should be received by the center within 7 calendar days of submitting a Letter of Intent to Operate. The Division will advise the operator of the applicable requirements the center must meet prior to opening, procedures for receiving a Notice of Compliance, and date they may begin operation.
- ☑ Although you will be given a date to begin operating, the child care requirements still require the operator to complete a prelicensing workshop prior to the Division issuing an initial Notice of Compliance.
- ☑ The licensing supervisor’s contact information will be provided within the Response Letter.

- It is your responsibility to contact the appropriate agencies to complete building, fire, and sanitation inspections. Please be aware that in some areas of the state it may take time to complete the process to receive approved inspections.
- The law requires approved inspections to be submitted to the Division 30 days after you begin operation, so you may need to adjust your planned opening date based upon your timeframe to obtain approved inspections.
- The operator must submit the following to the licensing supervisor no later than 30 days after beginning operation.
 - Facility Profile
 - Prelicensing workshop certificate
 - Approved building, fire and sanitation inspections
 - Floor plan
- Notify the licensing supervisor immediately if the opening date changes.

NC GENERAL STATUTE 110-106
Beginning Operation

- The center may begin operating as of the date indicated in the Response Letter received from the Division.
- A completed Facility Profile form must be submitted to the name and address of the licensing supervisor indicated in the Response Letter within thirty (30) days after beginning operation.

- Prior to opening, the prospective operator should contact the licensing supervisor to request a technical assistance visit. A visit prior to the center opening can provide assistance on ways for the operator to achieve and maintain compliance with child care requirements as well as consultation on best practices in the field of early care and education.
- Within 30 days after beginning operation, and after the religious sponsored child care center has filed the above information, the center will be visited by a child care consultant.
- The purpose of the visit is to monitor compliance with the applicable child care requirements.
- During the visit, the child care consultant might measure the indoor and outdoor space used for child care, check indoor and outdoor equipment to be sure it is safe, review records, and/or check vehicles for transporting children.

- ☑ It is important to be in compliance with applicable child care requirements within the 30 days time period. Failure to comply within 30 days may result in the issuance of a Notice to Cease Operation, as well as prevent or delay the receipt of payments from the Department of Social Services.

**CHILD CARE RULE .0301
Prelicensing Workshop**

★ All potential owners/operators of a child care center or center in a residence are required to complete a prelicensing workshop before the initial license or Notice of Compliance is issued.

- ☑ The person who signs the Letter of Intent should attend the prelicensing workshop. Although not required, it is strongly recommended that the director of the child care center attend the prelicensing workshop as well.
- ☑ The religious sponsored center may open, prior to attending the workshop but must attend within the first 30 days the center is open.
- ☑ The prelicensing workshop schedule is included with the Response Letter, available from the Division’s main office in Raleigh by calling 1-800-859-0829, and on the Division’s web site at www.ncchildcare.net.
- 📁 Refer to Chapter 1 – Getting Started for more information on the mandatory prelicensing workshop.

SECTION 2: STAFF REQUIREMENTS

All requirements in Chapter 2 -Staff apply to religious sponsored programs except as identified in the following sections. You should refer to the other chapter for a full description of the staff requirements that will have to be met to operate a religious sponsored program. The sections to follow only cover requirements that are different from those identified in Chapter 2 - Staff.

**NC GENERAL STATUTE 110-106
Requirements for the Administrator**

★ The administrator of any religious sponsored child care center must be at least 21 years of age and literate.

- ☑ These are the only preservice requirements for the administrator.

Literate is defined as understanding licensing requirements and having the ability to communicate with family and relevant emergency personnel. For example, a staff person must be able to read and write English well enough to carry out all of the daily responsibilities of the position, including being able to read information on a medicine bottle, or being able to read written instructions from a parent or health care professional.

HH–Consider hiring an administrator that has prior experience working in a licensed child care center and is knowledgeable of best practices in early care and education. Research consistently finds that high quality administrative practices are essential for ensuring good outcomes for children and families.

NC GENERAL STATUTE 110-106


Requirements for Other Staff

 All other staff working in a religious sponsored center must be at least 18 years of age and be literate.

16 and 17 years olds may only work in a religious sponsored child care center under the direct supervision of someone at least 21 years of age.

NC GENERAL STATUTE 110-106

Other Staff Requirement Exemptions

 Orientation training is not required for staff working in religious sponsored child care centers.

 In-service training is not required for staff working in a religious sponsored child care centers.

All other requirements in Chapter 2 - Staff would apply to the staff of a religious sponsored center if not listed above.

HH –Although orientation is not required, it is important that staff understand the operating practices of the program.

SECTION 3: OUTDOOR LEARNING ENVIRONMENT

All requirements in Chapter 3 - Outdoor Learning Environment apply to religious sponsored programs. You should refer to this chapter for a full description of the requirements that will have to be met to operate a religious sponsored program.

SECTION 4: AQUATIC ACTIVITIES

All requirements in Chapter 4 - Aquatic Activities apply to religious sponsored programs. You should refer to this chapter for a full description of the requirements that will have to be met to operate a religious sponsored program.

SECTION 5: INDOOR LEARNING ENVIRONMENT

All requirements in Chapter 5 - Indoor Learning Environment apply to religious sponsored programs except as identified in the following section. You should refer to the other chapter for a full description of the requirements that will have to be met to operate a religious sponsored program. The section to follow only cover requirements that are different from those identified in Chapter 5 - Indoor Learning Environment.

NC GENERAL STATUTE 110-106

Activity Areas Exemption

 Religious sponsored child care centers do not have to meet the activity area requirements.




All other requirements in Chapter 5 -Indoor Learning Environment would apply to a religious sponsored center.

SECTION 6: CHILDREN’S RECORDS AND ACTIVITIES

All requirements in Chapter 6 - Children’s Records and Activities apply to religious sponsored programs except as identified in the following section. You should refer to the other chapter for a full description of the requirements that will have to be met to operate a religious sponsored program. The section to follow only cover requirements that are different from those identified in Chapter 6 - Children’s Records and Activities.

NC GENERAL STATUTE 110-106

Activity Exemptions

-  A written schedule is not required for a religious sponsored child care center.
-  An activity plan is not required for a religious sponsored child care center.
-  Developmentally appropriate activities are not required for a religious sponsored child care center.

All other requirements in Chapter 6 -Children’s Records and Activities would apply to a religious sponsored center.

SECTION 7: LICENSES

All requirements in Chapter 7 - Licenses apply to religious sponsored programs except as identified in the following section. You should refer to the other chapter for a full description of the requirements that will have to be met to operate a religious sponsored program. The section to follow only cover requirements that are different from those identified in Chapter 7 - Licenses.

For the purposes of this rule, a license would be any document issued to a religious sponsored child care center that states that it is operating legally and would include a Notice of Compliance issued to religious sponsored child care centers.

NC GENERAL STATUTE 110-106

Display of a License

 A religious sponsored center is exempt from displaying a license to operate.


- Religious sponsored child care centers taking their allowed exemptions do not receive a star rated license, but do have to meet basic health and safety requirements.
- If a religious sponsored child care center chooses to apply for a star rated license, they may do so as long as they are in compliance with all the child care requirements (including the exemptions listed above).
- A religious sponsored child care center can apply for a two through five star rated license after they have been in operation for at least 6 months. A religious sponsored child care center can apply for a one star rated license at any time.
- The center would be assessed to ensure that all applicable requirements are being met and the appropriate license will be issued.

SECTION 8: COMPLIANCE MONITORING

All requirements in Chapter 8 - Compliance Monitoring apply to religious sponsored programs except as identified in the following section. You should refer to the other chapter for a full description of the requirements that will have to be met to operate a religious sponsored program. The section to follow only cover requirements that are different from those identified in Chapter 8 - Compliance Monitoring.

NC GENERAL STATUTE 110-106

Required Inspections

 An approved Building Inspection Report, Sanitation Inspection Report and Fire Inspection Report must be submitted to the child care consultant no later than 30 days after opening and before a Notice of Compliance can be issued.

- ☑ While approved inspections are not required prior to opening the center, if they are not received within the first 30 days of operation, the Division may require the program to cease operating until the approved inspections are received.
- HH** - Keep in mind a religious sponsored child care center will not receive subsidized child care payments until all applicable requirements are in compliance and the Notice of Compliance is issued.
- 💻 Visit the Division’s web site at www.ncchildcare.net for more information on North Carolina’s Subsidized Child Care Program.

SECTION 9: BEHAVIOR MANAGEMENT

All requirements in Chapter 11 – Behavior Management apply to religious sponsored programs except as identified in the following section. You should refer to this chapter for a full description of the requirements that will have to be met to operate a religious sponsored program. The section to follow only covers requirements that are different from those identified in Chapter 11 – Behavior Management.

NC GENERAL STATUTE 110-106
Discipline and Behavior Management

- ★ Each operator or staff member shall attend to any child in a nurturing and appropriate manner, and in keeping with the child’s developmental needs.
- ★ Religious sponsored child care centers must meet all discipline requirements except they are exempted from the prohibition on corporal punishment.

- ☑ NC General Statute 110-91(10) allows a religious sponsored child care center to use corporal punishment as a form of discipline, if the following conditions are met:
 - The center files with the Division a notice that states that corporal punishment is a part of their religious training.
 - The center has a written discipline policy that clearly states that corporal punishment is a part of their religious training and will be used.
 - The Division must review and approve the policy prior to use. A copy of the policy and acknowledgement that the policy has been approved will be placed in facility’s official child care record located at the Division.
 - The written policy must be discussed with and given to each child’s parent prior to the first time the child attends the center.
 - Each parent must sign a statement verifying a copy of the policy was reviewed and discussed.

- If changes are made to the behavior management policy at any time, the center must give written notice of the changes to each child's parent, guardian, or full-time custodian 30 days prior to the implementation of the new policy. The parent, guardian, or full-time custodian must sign a statement that attests a copy of the new policy was given to and discussed with him or her. The signed statement must be kept in the child's file.

SECTION 10: OTHER REQUIREMENTS

All requirements in Chapters 9 and 12 through 14 apply to religious sponsored programs. You should refer to these chapters for a full description of the requirements that will have to be met to operate a religious sponsored program.

RESOURCE SECTION

Chapter 15: RELIGIOUS SPONSORED CHILD CARE

The following pages contain resource materials discussed in or related to the preceding chapter.

Some of the resources are forms created by the Division of Child Development and must be used by licensed child care centers. Other materials are provided as a resource only for child care centers and can be used at the discretion of the center.

Center operators may also wish to use this section to add any additional resource materials they have that are related to the chapter or information that is specific to their child care center.