

I. CHAPTER OVERVIEW

General information about North Carolina's licensing requirements for [child care centers](#) is given in this chapter. For information about the requirements for child care centers to participate in the Subsidized Child Care (SCC) Program, refer to [Chapter 16: Approval and Enrollment Procedures for Licensed Facilities](#).

II. STAR RATED LICENSE SYSTEM

North Carolina's star rated license system reflects the quality of child care programs and allows programs to be recognized for providing higher quality care. Child care center operators can voluntarily apply for a two through five star rated license when they have been in operation for at least six (6) months. Operators receive a one star license unless they choose to be assessed for a higher level license.

A star rating of two to five stars is based on program standards and staff education. The program standards component includes the environment and level of care a child receives at the center. The staff education component refers to the early childhood educational level and experience of the child care program staff.

Although not a component of the rated license, a child care program must maintain a 75% compliance history.

The Division's website provides information about the star rated license requirements.

III. MANDATE FOR LICENSURE

A. Determining Need for Licensure

Any program that meets ALL of the following criteria must be licensed by the Division of Child Development (DCD) as a child care center:

1. Care is provided to three (3) or more children on a regular basis of at least once per week for more than four (4) hours per day.
2. The children in care are not in their own home and care is provided for more than two (2) preschool age children or more than eight (8) school-age children who are not all related to the provider.
3. The children are in the care of someone other than their parents, grandparents, aunts, uncles, brothers, sisters, first cousins, step and great relationships, guardians, or full-time custodians.

4. The care is provided in a nonresidential setting.

The operator/owner's own school-age children are not counted in the total number of children approved to be in the center, but any of the operator/owner's preschool age children are. The director's children are counted in the total number of children approved to be in the center unless the director is also the owner of the center.

NOTE: The provider must meet all child care requirements and be enrolled by the local purchasing agency in order to participate in the SCC Program and receive payment for services provided. Providers who wish to participate in the SCC Program must also comply with all federal civil rights laws and allow parents to have access to their children while in the child care facility. Refer to <http://www.dhhs.gov/ocr/> for additional information about civil rights laws.

B. Exemptions from Licensing Requirements

The following child care arrangements are exempt from the licensing requirements of DCD:

1. Arrangements made among parents to provide care for their own children to create playgroups for the children or free time for the parents as a convenience rather than for employment.
2. Any program which operates for four (4) hours or less per day, including preschools and programs which care for school-age children during the hours before and after school.
3. Nonpublic schools which are accredited by Southern Association of Colleges and Schools (SAC) and operate less than 6 1/2 hours per day.
4. Residential camps.
5. Recreational programs operated for less than four (4) consecutive months in a year.
6. Specialized activities or instruction such as athletics, dance, art, music lessons, horseback riding, gymnastics, or organized clubs for children, such as Boy Scouts, Girl Scouts, 4-H groups, or boys and girls clubs.
7. Drop-in or short term care provided while parents participate in activities that are not employment related and where the parents are on the premises or otherwise easily accessible.
8. Bible schools operated during vacation periods.

10. Any program consisting of two separate components, each serving different children for four (4) hours or less per day.
11. Centers located on federal property over which the federal government has control (i.e., military bases and the Qualla Boundary Indian Reserve).

NOTE: A program must be licensed or have a Notice of Compliance in order for a provider to participate in the SCC Program.

C. Differences in Requirements Based on Size of the Center

There are different requirements for child care centers based on the center's licensed capacity. The requirements for a center licensed for up to 12 children and located in a currently occupied residence are different from the requirements for larger centers. There are also a few differences between the regulations for small centers (up to 29) children) and larger centers (30 or more children). The requirements for centers are found in the publication [North Carolina Child Care Licensing Requirements](#).

D. Religious-Sponsored Programs

Religious-sponsored (also known as G.S. 110 - 106) programs are not required to obtain a license but they must meet all of the licensing requirements except those that relate to staff qualifications, staff training, and activity plans and schedules. These programs must submit to DCD a Letter of Intent to provide child care services. These programs may begin operating upon receipt of DCD's response to the provider's Letter of Intent. DCD issues a [Notice of Compliance](#) letter to these programs when the applicable licensing requirements have been met. Refer to [Chapter 20: Payment Policies](#) for information regarding payment.

IV. PROCEDURES FOR LICENSURE

A. Applying for a License

Anyone interested in operating a child care center should first contact the Regulatory Services Section of DCD. A Basic Information Packet, which summarizes the requirements for obtaining a license, is sent to those who have never been through the pre-licensing process or those who are not familiar with the current regulations.

New child care owners/operators are required to attend a pre-licensing workshop. The workshops are offered throughout the year throughout the state. Topics discussed in the pre-licensing workshops include site and building selection; building, fire, and sanitation codes; child care requirements related to children's equipment and supplies; and staff education, experience

and in-service training requirements. The workshop also focuses on best practices regarding program start-up and operation as they relate to budgeting for quality child care.

The Division of Child Development's website provides information on the process for applying for a license. A Regulatory Services Section Licensing Consultant works with the owner/operator of the child care program throughout the licensing process.

When a center is found to be in satisfactory compliance with all applicable child care requirements, a Temporary License is issued. This allows the owner/operator to begin operation. During the first six months of the Temporary License, the Regulatory Services Section Licensing Consultant will assess the program and determine if a permanent license will be issued.

B. Visits to Child Care Centers

A Regulatory Services Section Licensing Consultant makes an unannounced compliance visit at least once a year. Unannounced visits are also made to centers when DCD receives complaints about the center. Information regarding noncompliance with licensing requirements is described in [Chapter 15: Noncompliance With Licensing Requirements](#).