

10A NCAC 09 .3104 ADDING SPACE AT LICENSED CENTERS FOR CARE OF SCHOOL-AGE CHILDREN

If an operator of a licensed child care center wishes to use additional space not previously approved for child care, regardless of location, to care for school-age children during the Declaration of a State of Emergency, the operator shall notify the Division of the desired change pursuant to 10A NCAC 09 .0204, but shall have six months to obtain any required inspections of the additional space by the local health, building, and fire inspections in accordance with G.S. 110-91(1), (4), and (5). If all other standards set forth in G.S. 110-91 and this Chapter are met, the operator may provide care to school-age children in the additional space and the Division shall document the same in a manner that will notify parents and the public of the change. Once the operator provides documentation that the additional space conforms to all applicable sanitation, building, and fire standards, and if all applicable requirements of G.S. 110, Article 7 and this Chapter are met, the Division shall issue a new license pursuant to 10A NCAC 09 .0204. If a health, building, or fire inspection reveals that the additional space does not conform to the required standards, the Division may issue a provisional license as set forth in 10A NCAC 09 .2204. Any space that the operator desires to use as additional space for care of school-age children that is not located within the currently licensed facility shall not be required to meet the outdoor space and fencing requirements of G.S. 110-91(6). If there is no outdoor space at the additional space to be used for care of school-age children that is not located within the currently licensed facility, operators shall not be required to meet the requirements of 10A NCAC 09 .0508(c). Notwithstanding any other provision in this Section, operators shall provide indoor space for daily gross motor activities when outdoor space is not available.

*History Note: Authority G.S. 110-85; 110-88; 110-91;
Emergency Adoption Eff. August 13, 2020;
Temporary Adoption Eff. October 23, 2020;
Eff. October 1, 2021.*