

The State Advisory Committee on the
Regulation of Child Care Facilities Minutes
Thursday, September 5, 2024
10:30 am to 1:00 pm
Virtual Meeting

Members Present: Tammy Compton
Jessica Sharp
Lisa Corning
Rachel Ellis
Chasity Lesley
Althea Benson
BJ Norris Long
Felicia O’Neal

QUORUM reached with 8 members

Members Absent: Bonnye Hughes Peebles, Brandy O’Neill, Edward Brashier,
Caroline Mullins, Lisa Flood, Tami Nix, Kristin Hanna

Staff to Committee: Melissa Outen, Frankie Peterson, Samuel Fredricks, April McDaniel
Rebekah Burton

Guests: Princess Hodges, Assistant General Counsel
Taron Brown Davis, General Counsel
Laura Drew, Assistant General Counsel
Tammy Penner, Family Child Care Quality Coach CCR&R
Cathy Kovacs, ABC Quality Program Manager
Kena Hall, ABC Quality
Karen Morgan, Northway Academy Preschool
Jenn Adams, Family Child Care Coach CCR&R
Lashonja Grampus, Child Care Licensing Assistant Supervisor
Tiffany Paschal, DSS Public Information Coordinator
Monica Akers-Bellamy, Family Child Care Quality Coach
Martha Strickland, First Steps 4k
Karen Hall, Child Care Licensing
Kristin Green, Director of Faith Based Center in Myrtle Beach
Cathy Miller, Bob Jones Academy
Hannah Sane, SC Endeavors
Melissa Starker, SC Endeavors
Debbie Earwood, SC Assoc of Christian Schools/Church Childcare

The meeting was called to order at 10:41 am. Tammy Compton called the roll, welcoming all committee members and guests. The roll was taken with 8 members present.

Tammy Compton, Chair, asked if there was a recommendation to approve the minutes from the August 21, 2024 meeting. It was moved by Jessica Sharp, seconded by Chasity Lesley. ***Rachel Ellis had a question about the law changes regarding the email from Tex Davis’ interpretation of the law regarding the experience requirements. The email wasn’t received so Melissa Outen responded saying she would make sure the email would be provided today.***

With no further questions or comments, Tammy Compton asked if all was in favor of accepting the minutes. All accepted, none opposed; so moved.

Tammy Compton, Chair, asked if there was a motion to accept the agenda for the September 5, 20024 meeting. A motion was moved by Lisa Corning and seconded by Chasity Lesley to accept the agenda for today. All in favor, none opposed; so moved.

Old Business

Tammy Compton moved right into the business at hand, Child Care Center's regulations final draft and opened the floor for discussion starting with the review of the regulations starting at 114-501.

114-501. Definitions

A. (26) Provisional Evaluation: Initial visit with Owner/Director to inspect per the regulations, measure facility, review staff files, and offer technical assistance.

Tammy Compton called for a vote. Jessica Sharp made the motion to move the definition as amended; seconded by Chasity Leslie. All in favor, none opposed; so moved.

(49) Volunteer: An individual parent, grandparent, other professional or skilled individual artist or crafts person at least 16 years of age infrequently assisting with the daily activities for children in a child care center who provides services without compensation and who is supervised by staff at all times ~~when providing direct care to children~~. An individual meeting this definition is not required to undergo a ~~fingerprint~~ comprehensive background check or health screening and is not counted in staff:child ratios.

Tammy Compton called for a vote to change the word fingerprint to comprehensive. Chasity Leslie made the motion; seconded by Jessica Sharp. All in favor, none opposed; so moved.

114-502. Procedures

C. Inspection and consultation

(8) The facility shall not knowingly provide false information collected during the inspection process.

(9) The use of physical or verbal ~~aggression~~ threat towards the Department's Licensing staff is prohibited including, but not limited to, profanity, threatening language, or non-verbal gestures, etc.

Tammy Compton called for a vote. Rachel Ellis made the motion; seconded by Jessica Sharp. All in favor, none opposed; so moved.

114-503. Management, Administration, and Staffing

D. Reporting of incidents

(c) A death of a child or staff person that occurs at the center or while under the care of the center.

(2) The following incidents shall be reported to the Department immediately and may be investigated by the Department:

- ~~(a) A death of a child or staff person that occurs at the center or while under the care of the center;~~
- ~~(b)~~ (a) A child who is missing from the premises or while under the care of the center or who is left unattended in the center or in a vehicle operated by the child care center;
- ~~(c)~~ (b) Accidents or injuries involving any child occurring at the center or under the care of the center requiring emergency professional medical treatment;
- ~~(d)~~ (c) Major structural damage to center;
- ~~(e)~~ (d) Natural or man-made disasters, including extreme weather conditions, which cause the center to be closed for more than one day of scheduled operation;
- ~~(f)~~ (e) An occurrence requiring the services of a fire or police department, which affects the health and safety of children;
- ~~(g)~~ (f) Charges or convictions of crimes against the owner, director, or any staff person;
- ~~(h)~~ (g) Reports of alleged child abuse involving the owner, director, or any staff person;
- ~~(i)~~ (h) A follow-up report shall be submitted to the Department as soon as an investigation of the facility is completed, and corrective action is taken; and
- ~~(j)~~ (i) Parents should be notified if a legal or health issue occurs which impacts the health and safety of his/her child. This notification should occur at the time of pick-up or on the next day the child is in care.

Tammy Compton called for a vote. Rachel Ellis made the motion; seconded by Chasity Leslie. All in favor, none opposed; so moved.

E. Death of a child

- (1) (b) ~~Immediately~~ Notify the licensing agency per statute 63-13-440 C; and

Rachel Ellis made the motion for the change; seconded by BJ Long. All in favor, none opposed; so moved.

G. Child records

- (a) The full names of ~~both~~ parents/guardians, and updated address, work, home, and mobile numbers where they can be reached during the time the child is in the center;

Lisa Corning made the motion; seconded by BJ Norris Long. All in favor, none opposed; so moved.

K. Staffing

- (1) Child abuse checks

(b) A check of the South Carolina Central Registry of Child Abuse and Neglect & Database shall be requested by the director(s) on each staff person, except for volunteers in accordance with the following time lines:

(2) Background criminal history checks

(a) To be employed by or to provide teacher/caregiver services at a child care facility, a person shall first undergo a State fingerprint review from the State Law Enforcement Division (SLED) to determine any state criminal history, a fingerprint-based background check to be conducted by the Federal Bureau of Investigation to determine any other criminal history, a Central Registry and Database check to be conducted by the department to determine any abuse or neglect perpetrated by the person upon a child, and a search of the National Crime Information Center National Sex Offender Registry and the state sex offender registry pursuant to Section 23-3-430. (reference 63-13-40 D3 to match the law)

(b) A person may be provisionally employed or may provisionally provide teacher/caregiver services after the favorable completion of the State Law Enforcement Division name and date of birth-based background check and the SLED or Federal Bureau of Investigation fingerprint-based background checks, until such time as the remaining fingerprint-based background check and the Central Registry check are completed if the person executes a sworn statement on a form provided by the department that he or she has not been convicted of any crime enumerated in this section and that he or she is not on the Central Registry for having perpetrated abuse or neglect upon a child. A person provisionally employed must be directly supervised by, and in the presence of a nonprovisional employed person at all times when providing direct care to children. ~~The Federal Bureau of Investigation (FBI) fingerprints shall be submitted for review within 14 business days upon receiving the SLED results. Upon the completed FBI review, the results will be forwarded to the appropriate Department for distribution.~~ (reference 63-13-40 D3)

The committee discussed K(1) and K(2) but we ultimately only voted on K(2)(a)&(b). Jessica Sharp made the motion for the change; seconded by BJ Norris Long. All in favor, none opposed; so moved.

(vii) (3)

(iv) A diploma or certificate in child development/early childhood education from a state-approved institution or a child development associate credential (CDA), and one year work experience in a licensed, approved, or registered child care facility; or

Lisa Corning made to motion, seconded by Althea Benson. All in favor, no opposed; so moved.

(5) Professional development

(b) The director shall participate in at least twenty clock hours of approved training annually. At least five clock hours shall be related to program administration and at least five clock hours shall be in child growth and development and/or health and safety including first aid and CPR training. Infant/child first aid and CPR training provided by a Department recognized health organization shall count for three hours of training in the topic area of health and safety each year that the training is completed. The remaining hours shall come from the following areas: Curriculum, Nutrition, Special Needs, Child Guidance, Professional Development, and mandated reporter training or other areas approved by the Department and must include blood-borne pathogens training as required by OSHA and ~~mandated reporter training~~. Directors who receive training in excess of twenty hours per year may carry over ten hours to the following year in the category earned. All newly approved Directors without previous Director experience in a licensed or registered childcare facility must take Director 101 or an equivalent training within six months after approval date.

(c) All staff, with the exception of emergency person(s) and volunteer(s), providing direct care to the children shall participate in at least fifteen approved clock hours annually. The hours shall come from at least three of the following areas: child growth and development, curriculum, Child Guidance, Health and Safety, Nutrition, Special Needs, Professional Development, Program Administration and mandated

reporter training, or other areas approved by the Department, and must include blood-borne pathogens training as required by OSHA ~~and mandated reporter training~~. For caregivers serving infants twelve months and under, one hour of safe sleep training is required. Infant/child first aid and CPR training provided by a Department recognized health organization shall count for three hours of training in the topic area of health and safety each year that the training is completed

Motion made by Jessica Sharp, Chasity Lesley seconded. Rachel Ellis opposed the 1 hour of safe sleep training if caring for infants.

A motion was made to move mandated reporter training by Rachel Ellis and seconded by Jessica Sharp. All in favor, none opposed; so moved.

11:55am 10 minute break; quorum met with 8 members still

114-504. Supervision

A. Supervision

(3) The center shall implement a tracking procedure to account for the presence of each child as the child enters and exits the premises, enters and exits a vehicle or moves to a new location in or around the center. Tracking documentation shall include, but is not limited to, the date, child's name, and the child's location in or around the center. Each caregiver/teacher responsible for a child, or group of children, shall have tracking documentation with them at all times. Movement shall be documented by completing a name-to-face check immediately upon arrival to a new location. Tracking records shall be kept and maintained for one year and shall be made available to the department upon request. If electronic tracking methods are used, then the child care facility shall have backup methods available in case of technical failure;

A motion was made by Jessica Sharp, seconded by Althea Benson to approve this section. All in favor, none opposed; so moved.

114-505. Health, Sanitation and Safety

B. Sanitation

(6) All products used for sanitization shall be EPA registered, used in accordance with the manufacturer's label and must be labeled in their original container. The only exception is bleach water solution, which must be labeled. ~~which must be used at the diaper changing station.~~

Motion made by Chasity Leslie, seconded by BJ Norris Long. All in favor, none opposed; so moved.

H. Fire safety and emergency preparedness

(1) Private and public child care centers shall comply with the regulations and codes of the State Fire Marshal. Director shall ensure 30 months and below classroom decal remains as placed by the ~~State~~ Department's Fire Marshal.

Motion made by BJ Norris Long, seconded by Chasity Leslie. All in favor, none opposed; so moved.

114-507. Physical Site

E. Environmental hazards

(5) Animals: The following requirements apply in regard to animals:

(a) Healthy animals which present no apparent threat to the health and safety of the children shall be permitted, provided they are cleaned, properly housed, fed and cared for and have had required vaccinations, as appropriate. Live animals shall be excluded from areas where food for human consumption is stored, prepared or served. Any animal bite requiring medical attention shall be reported to the Department within forty-eight (48) hours and the animal shall be permanently removed from the facility.

Motion made by Rachel Ellis, seconded by Chasity Leslie. All in favor, none opposed; so moved.

114-509. Infant and Toddler Care, Care for Mildly Ill Children, and Night Care

A. Infant and toddler care

(2) Programs for infants and toddlers

(f) Baby formula served in a bottle shall be properly prepared, labeled with the child's name, and dated. Any excess formula shall be discarded after each feeding within one hour. Formula, requiring refrigeration shall be maintained at 40 degrees Fahrenheit or below. Any unused breastmilk shall be returned to the parent/guardian daily.

Motion made by Chasity Leslie, seconded by BJ Norris Long. All in favor, none opposed; so moved.

(g). Breastmilk served in a bottle shall be properly prepared, labeled with the child's name, and dated. Breastmilk bottles shall be used within 2 hours of initial feeding to the infant and shall not be reheated after initial warming. After 2 hours, any unused breastmilk shall be returned to the parent/guardian daily. Thawed breastmilk shall be maintained at 40 degrees Fahrenheit or lower. Frozen breastmilk shall remain frozen until prepared for use.

Motion made by BJ Norris Long, seconded by Jessica Sharp. All in favor, none opposed; so moved.

Our next steps will be for Princess and Laura to make corrections to the documents. With the approval of the corrections, we will proceed to the State Registry and start the process for the legislation to review the regs.

Motion approved with changes by Chasity Leslie, seconded by Althea Benson with changes. Everyone approved the motion, Rachel Ellis opposed, Motion so moved.

Meeting is adjourned at 1:24 pm. Next meeting will be Friday, September 13, 2024.