

The State Advisory Committee on the  
Regulation of Child Care Facilities Minutes  
November 20, 2024  
10:00 am to 1:00 pm

**Members Present:**In person:

Tammy Compton  
Jessica Sharp  
Lisa Corning  
Chasity Lesley

Virtual:

Reginald Williams  
Rachel Ellis  
Althea Benson (joined late)  
BJ Norris Long  
Bonnye Hughes Peebles  
Tami Nix

**Members Absent:**

Felicia O'Neal

**Inactive Appointees:**

Edward Brashier  
Caroline Mullins  
Lisa Flood  
Brandy O'Neill

**QUORUM reached with 9 members; 10<sup>th</sup> committee member joined later.**

**Staff to Committee:**

Cynthia Lara, Melissa Outen, Rebekah Louis

**Guests:**

Michele Bowers, Division Director, Early Care and Education  
Princess Hodges, Assistant General Counsel  
Laura Drew, Assistant General Counsel  
Samuel Fredricks, Child Care Licensing  
April McDaniel, Central Child Care Licensing Supervisor  
Tylisha Hickson, Central Licensing Program Coordinator  
Allyson Boone, Central Licensing Program Coordinator  
Stacie Turcotte, Child Care Licensing Supervisor, Lowcountry  
Tammy Penner, Family Child Care Quality Coach CCR&R  
Cathy Kovacs, ABC Quality Program Manager  
Lashonja Grampus, Child Care Licensing Assistant Supervisor  
Nicole Shea, SC Endeavors  
Tiffany Paschal, DSS Public Information Coordinator  
Monica Akers-Bellamy, Family Child Care Quality Coach  
Hannah Sane, SC Endeavors  
Melissa Starker, SC Endeavors  
Kena Hall, ABC Quality  
Breanna Davis-Gee, Central Licensing Program Coordinator  
Alexia Grant, Child Care Licensing, Lowcountry  
Dr. Maria Sweet, Nurturing Nest

The meeting was called to order at 10:17 am. Tammy Compton, Chair, called the roll, welcoming all committee members and guests. The roll was taken with 9 members present.

Tammy Compton asked if there was a recommendation to approve the minutes from the October 24, 2024 meeting. Rachel Ellis needed to be marked as absent and Kristin Hanna needed to be removed as she resigned. It was moved by Jessica Sharp, seconded by Chasity Lesley. All in favor, none opposed; so moved.

Tammy Compton, Chair, asked if there was a motion to accept the agenda for the November 20, 2024, meeting. A motion was made by Reggie Williams and seconded by BJ Norris. All in favor, none opposed; so, moved.

### **Old Business**

Tammy Compton asked Laura Drew to recap the public hearing on the proposed Licensed Center regulations hearing on November 15, 2024. The Advisory Committee needed to address the letter from Mr. Earwood and respond by December 5, 2024.

### **New Business**

We read over the regulation challenges from the Administrative Law Court and discussed the observations and objections brought before the court in Mr. Earwood's letter regarding Proposed amendments to South Carolina Code of Regulations 114-500 to 114-509 dated September 3, 2024.

#### 1. 114-501. Definitions

Discussion was brought up to remove the word "infrequent" or redefine the meaning by Bonnye Hughes Peebles. Jessica Sharp recommended to keep the word "infrequently", seconded by Chasity Lesley. The Committee voted unanimously to keep the definition as is in order to protect children in Licensed Child Care Centers, many of whom are non-verbal and thus more vulnerable. This regulation ensures that any volunteer present in the child care center more than 2 days per week will have a free, comprehensive background check completed, which is good for five (5) years. While waiting for the results of the free, comprehensive background check, volunteers may still be present in the program two (2) or fewer days each week. Public schools in South Carolina require background checks for anyone volunteering in the school building, regardless of how many hours they will be present in the school, so this regulation is less stringent than public schools. Motion to accept the recommendation made by BJ Norris Long, seconded by Bonnye Hughes Peebles. The committee voted unanimously in favor, none opposed; so moved.

#### 2. 114-502. Procedures

C (9) (New regulation) Inspection and Consultation.

The Committee voted unanimously to rewrite the regulation to read:

The use of physical or verbal aggression toward the Department's staff and/or child care staff is prohibited; including but not limited to profanity, threatening language, non-verbal gestures, etc. The Committee believes the rewritten regulation provides reasonable protection for both Department and child care staff. BJ Norris Long made the motion to add the response, seconded by Lisa Corning. All in favor, none opposed; so moved. Althea Benson made the motion to accept the response, BJ Norris Long seconded. All in favor, none opposed; so moved.

#### 3. 114-507. Physical Site

A (12)(h) (Addition to current regulation)

Remove A (12)(h).

Provision of toilet paper supports the basic health needs of children and staff in child care facilities. This regulation was revised in response to verified complaints from child care staff that toilet paper, paper towels, etc., were not provided for their use or for children's use. There is an existing process for providers to appeal citations within 14 days of receiving the citation. Chasity Lesley made the motion, Althea Benson seconded. The Committee voted unanimously to reword the regulation as follows: Liquid or granular soap and disposable towels shall be provided at each sink, and toilet paper shall be available at each toilet accessible to staff and children. All in favor, none opposed; so moved.

4. 114-507. Physical Site

D (2) Mold and Water Damage (New regulations)

Remove "correction plan" and change to action plan

The Committee voted unanimously to reword the regulation as follows: (b) If mold is confirmed at the facility, the Department shall be notified within forty-eight (48) hours. An action plan shall be submitted to the Department within three (3) business days. Motion made by Althea Benson, seconded by Bonnye Hughes Peebles. All in favor, none opposed; so moved.

Tami Nix made the motion to accept the response, seconded by Reggie Williams. All in favor, none opposed; motion carried.

Five minute break. Roll called. Quorum met with 10 members present.

5. 114-509. Infant and Toddler Care, Care for Mildly Ill Children, and Night Care

A (1)(a) (Addition to current regulation)

This regulation was revised in response to direct observations of children being left in cribs unattended for long periods of time. The previous regulation said that children shall not be in their cribs awake but did not specify a time limit. The assertion by Mr. Earwood that taking a child out of a crib could create infant anxiety is directly contradicted by decades of research on infant attachment and brain development. Leaving children unattended does contribute to anxiety and insecure attachments, which are directly damaging to children's brain development. By a vote of 8 in favor made by Reggie Williams, 1 opposed, 1 abstaining, seconded by Chasity Lesley, the Committee voted to leave the proposed regulation as worded in the document submitted to the court. Motion to accept response made by Chasity Lesley, seconded by Althea Benson. All in favor, none opposed; so moved.

6. 114-509. Infant and Toddler Care, Care for Mildly Ill Children, and Night Care

A (3)(f) (Addition to current regulation)

Any unused breast milk shall be returned to the parent/guardian daily. This was a scrivener's error, and the Committee voted unanimously to remove it. The regulation initially contained references to both breastmilk and formula, and in the revision process, the Committee voted to separate them into two regulations, leaving the above statement mistakenly appended to the regulation regarding infant formula. Rachel Ellis made the motion, seconded by Lisa Corning; all in favor, none opposed; so moved. Motion to accept the response made by Rachel Ellis, seconded by Tami Nix, all in favor, none opposed; so moved.

7. 114-509. Infant and Toddler Care, Care for Mildly Ill Children, and Night Care

A (6)(g) (New regulation)

Infant and/or toddler tables with molded bucket seats shall be prohibited.

Jessica Sharp made the motion to leave as is, seconded by BJ Norris Long. Rachel Ellis opposed; so moved. The Committee voted to keep the proposed regulation as written due to the damaging nature of bucket tables on children's physical development. SCDSS has agreed to provide funding to child care providers to replace the bucket tables with appropriate child-sized tables and chairs along with a phased rollout of the regulation to support providers' need to receive funding and purchase new equipment. Chasity Lesley made the motion to accept the response, BJ Norris Long seconds, all in favor, none opposed; so moved.

Next meeting dates:

- January 16, 2025 (10:00am to 1:00pm)
- February 12, 2025 (10:00 am to 1:00 pm)
- March 12, 2025 (10:00 am to 1:00 pm)
- April 2, 2025 (10:00 am to 1:00 pm)
- May 7, 2025 (10:00 am to 12:00 pm)

Next Meeting: January 16, 2025. A motion was made by BJ Long and Althea Benson seconded. All in favor, so moved. The meeting adjourned at 12:20pm.