

Cumberland County Board of Health
Regulations Governing the Sanitation of Family Child Care Homes in
Cumberland County, NC

Be it ordained by the Cumberland County Board of Health, that the following regulations for the protection of the public health are hereby adopted pursuant to authority granted by: Article 2, 130A-39 of the General Statutes of North Carolina and shall apply throughout Cumberland County to the operation and use of family homes.

Section 1. Definitions

- a. "Child Care" means a program or arrangement where three or more children less than 13 years old, who do not reside where the care is provided, receive care on a regular basis of at least once per week for more than four hours, but less than 24 hours per day from persons other than their guardians or full time custodians, or from persons not related to them by birth, marriage, or adoption. Child care does not include the following:
 - i. Arrangements operated in the home of any child receiving care if all of the children in care are related to each other and no more than two additional children are in care:
 - ii. Recreational programs operated for less than four consecutive months in a year:
 - iii. 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.
- b. "Child Care Facility" means child care centers, family child care homes, and any other child care arrangement not excluded by GS 110-86(2), that provides child care regardless of the time of day, wherever operated, and whether or not operated for profit.
 - i. "Family Child Care Home" means a child care arrangement located in a residence where, at any one time, more than two children, but less than eleven children receive child care. Of the children present at any one time, no more than five children shall be pre-school aged. A family childcare home is allowed to provide care for one of the following groups of children, including the operator's own pre-school aged children and excluding the operator's own school-age children up to 13 years of age:
 - 1. A maximum of eight children, with no more than five children who are from birth to 5 years of age, plus three school-age children.
 - 2. A maximum of three children from birth to 24 months of age, plus three children from 2 to 5 years of age and three school-age children up to 13 years of age, for a total of nine children.
 - 3. A maximum of 10 children if all children are older than 24 months of age.
- c. "Clean" means that an object or surface has been made free of garbage, soil, dust, hair, dander, food, bodily fluids and secretions, and feces.
- d. "Department" means the Cumberland County Department of Public Health.

- e. "Detergent Solution" means a solution comprised of water and soap.
- f. "Disinfect" means a non-sporicidal process of using an approved disinfectant on inanimate surfaces to destroy or irreversibly inactivate fungi, viruses, and bacteria.
- g. "Disinfecting Solution" means a chlorine solution containing 500 to 800 parts per million (ppm) of chlorine or a disinfectant as defined at 40 C.F.R. 158.2203 that is registered with the United States Environmental Protection Agency (EPA) in accordance with 40 C.F.R. 152 with use indicated in schools and child care settings and that is prepared and maintained in accordance with Rule .2821(i) of this section.
- h. "Emergency Medications" means medications where a delay of minutes could result in a serious negative outcome. A list of such medications is provided in a memo from Deborah W. Harris, Public Health Nursing Consultant, Children's Environmental Health Branch, dated April 3, 2009.
- i. "Health Director" means the for Cumberland County. The term also means the authorized representative of the Director.
- j. "Licensing Agency" means the DHHS, Division of Child Development and Early Education.
- k. "Lock" means a combination lock, electronic or magnetic device, keypad, key, or equivalent locking device.
- l. "Locked" means locked with a key that is stored in a location separate from the lock, or with a combination lock.
- m. "Operator" means the owner, director, or other person having primary responsibility for operation of the family child care home.
- n. "Potentially Hazardous Food" means any food or ingredient, natural or synthetic, in a form capable of supporting the growth of infectious or toxigenic microorganisms, including *Clostridium botulinum*. This term includes raw or heat-treated food of animal origin, raw seed sprouts, and heat-treated foods of plant origin. The term does not include foods which have a pH level of 4.6 or below or a water activity value of 0.85 or less.
- o. "Sanitize" means a process of using a sanitizing solution on inanimate surfaces to destroy or irreversibly inactivate bacteria.
- p. "Sanitizing Solution" means a solution containing 50 to 200 parts per million (ppm) of chlorine or a sanitizer as defined at 40 C.F.R. 158.2203 that is registered with the EPA in accordance with 40 C.F.P. 152 that is approved by the EPA for use on food-contact surfaces, does not require a final rinse step, and has a testing method that can be used by child care center employees to confirm that the prescribed chemical concentrations are met and that is prepared and maintained in accordance with Rule .2812(j) of this section.
- q. "Single-Service Articles" means tableware, including plasticware, carry-out utensils and other items such as bags, containers, stirrers, straws, toothpicks, and wrappers which are designed, fabricated, and intended by the manufacturer for one time use.
- r. "Single-Use Articles" means bulk food containers and utensils intended by the manufacturer to be used once and discarded. Single-use articles include items such as egg cartons, bread wrappers, barrels, wax

paper, plastic wrap, formed aluminum food containers, jars, plastic tubs or buckets, condiment containers, spice containers, medicine bottles, and metal cans which do not meet the materials, durability, strength, and cleanability specifications for multiuse utensils.

- s. "Sleeping Arrangement" means an individual sleeping space such as a bed, crib, play pen, cot, or mat.
- t. "Tempered Water" means water that is between 80 and 110 degrees Fahrenheit.

Section 2. Registration and Operation Permit

- a. All family child care homes as defined in Section 1 of this Ordinance shall be in compliance with applicable state and local regulations, including registration with the North Carolina Division of Child Development if applicable, and shall obtain a permit to operate from the Cumberland County Department of Public Health prior to beginning operation. An operation permit shall be valid for 12 months from the day the permit was issued.
- b. Each family child care home provider shall complete an application for an operation permit with the Cumberland County Department of Public Health annually. In addition, any applicable fees determined by the Cumberland County Board of Health shall be submitted with the application.
- c. Each permitted home shall allow the regulatory authority of the Cumberland County Department of Public Health and any other appropriate governmental agency to inspect its facilities to ensure compliance with the provisions of this ordinance. Each provider shall allow access to the home, staff, and records at reasonable times during the provider's regular business hours.

Section 3. Handwashing

- a. Family child care home operators shall wash their hands as follows when at work in a family child care home:
 - 1. upon reporting for work at the family child care home;
 - 2. before and after handling or preparing food;
 - 3. before bottle feeding a child;
 - 4. before providing food service;
 - 5. before handling clean utensils;
 - 6. after toileting or handling of body fluids, including but not limited to saliva, nasal secretions, vomitus, feces, urine, blood, secretions from sores, and pustulant discharge;
 - 7. after diaper changing;
 - 8. after handling soiled items that are not clean;
 - 9. after being outdoors;
 - 10. after handling animals or animal cages; and
 - 11. after removing disposable gloves.
- b. The use of a hand antiseptic does not replace the requirements for handwashing except that an operator who is supervising a child or children outdoors may use a hand antiseptic while outdoors in lieu of handwashing, provided that the operator's hands are washed when the operator returns indoors. Hand antiseptic shall not be used in lieu of handwashing when the operator's action that necessitates handwashing is diapering, food preparation, or food service.

c. Family child care home operators shall ensure that children wash their hands as follows:

1. upon arrival at the family child care home;
2. after each diaper change or visit to the toilet;
3. before eating meals or snacks;
4. before and after water play;
5. after being outdoors; and
6. after handling animals or animal cages.

d. Except when the action that necessitates handwashing is diapering and before eating meals or snacks, hand antiseptics may be used in lieu of handwashing while a child is outdoors, provided that the child's hands are washed when the child returns indoors.

e. Handwashing procedures shall include the following steps:

1. using liquid soap and tempered water;
2. rubbing hands vigorously with soap and tempered water for 15 seconds;
3. washing all surfaces of the hands, to include the backs of hands, palms, wrists, under fingernails, and between fingers;
4. rinsing the hands under tempered water for 10 seconds;
5. drying the hands with a paper towel or other hand-drying device; and
6. turning off faucet with a paper towel or other method without recontaminating hands.

Section 4. Food, Food Storage, and Food Protection

- a. All potentially hazardous food shall be maintained at 45°F or below, or at 135°F or above, except during necessary periods of preparing and serving.
- b. A refrigerator shall be in good repair and capable of maintaining foods at a temperature of 45°F or below.
- c. An ambient air temperature thermometer is required for all refrigeration.
- d. Potentially hazardous food frozen food shall be thawed using one of the following methods:
 1. in the refrigerated units that do not exceed 45°F;
 2. submerged under potable water of a temperature of 70°F or below, with sufficient water velocity to agitate and float off loose food particles into the overflow;
 3. in a microwave oven only when the food will be immediately transferred to conventional cooking equipment as part of a continuous cooking process or when the entire, uninterrupted cooking process takes place in the microwave oven; or
 4. as part of the uninterrupted cooking process.
- e. Potentially hazardous food foods requiring cooking shall be cooked to heat all parts of the food to a temperature of at least:
 1. Poultry, poultry stuffings, stuffed meats and stuffings containing meat—165°F.
 2. Ground beef and foods containing ground beef—155°F.
 3. Pork and any food containing pork— 145°F.
 4. Seafood and any food products containing seafood—145°F.
 5. Eggs—145°F

6. Vegetables—135°F
7. Roast beef shall be cooked to an internal temperature of at least 130°F.

- f. Raw fruits and vegetables shall be washed thoroughly before use.
- g. All food shall be kept free from spoilage, filth, or other contamination and shall be safe for human consumption.
- h. All foods while being stored, prepared, served, and during transportation, shall be protected from contamination.
- i. Food shall be stored above the floor in a manner that protects the food from splash and other contamination and that permits easy cleaning of the storage area.
- j. Food and containers of food shall not be stored under exposed sewer lines. Food shall not be stored in toilet or laundry rooms.
- k. Food that is leftover after serving shall not be served again unless the original package is unopened, and the food is not a potentially hazardous food.

Section 5. Requirements for Milk, Juices, and Bottles

- a. When milk, milk products, or fruit juices are provided by the operator, only pasteurized products or products which have undergone an equivalent process to pasteurization shall be used. Any formula which is prepared by the operator shall be prepared according to the instructions on the formula package or label, or according to written instructions from the child's health care provider.
- b. Human milk, formula, and other bottled beverages, including beverages in sippy cups, sent from home shall be fully prepared, dated, and identified for the appropriate child at the child's home. All human milk, formula, and other bottled beverages shall be returned to the child's home or discarded at the end of each day.
- c. Frozen human milk shall be stored frozen for up to seven days. Frozen human milk shall be labeled with the date received and date thawed. Previously frozen human milk shall be refrigerated and shall be stored for no more than 24 hours.
- d. Microwaves shall not be used to thaw or warm human milk, baby food, formula, or other bottled beverages. Bottle warming equipment shall be inaccessible to children when in use and shall be emptied, cleaned, and sanitized daily. Previously frozen human milk shall not be refrozen for storage.
- e. Bottles and other drinking utensils provided by the child care center shall be sanitized. Formula and other beverages which require refrigeration, baby food after opening, and human milk shall be identified for the appropriate child and shall be refrigerated at 45°F or below.
- f. Water bottles shall be identified for the appropriate child at the child's home.

- g. Upon opening, jars of baby food shall be covered, dated, refrigerated, and used within two days of opening, provided that the baby food is not served directly from the jar. Baby food may be served directly from the jar to one child if unused portions of the food are discarded after each feeding; otherwise, commercially prepared baby foods shall be served from a serving dish rather than the food jar. After the completion of each feeding, leftover formula, human milk, and other bottled beverages shall be discarded or returned to the child's home at the end of each day.

Section 6. Food Service Utensils and Equipment

- a. All equipment and utensils shall be constructed to be easily cleaned and shall be kept clean and in good repair.
- b. Single-use articles shall be used when a mechanical dishwasher with a sanitizing cycle is not provided.
- c. Single-use and single-service articles shall not be reused.
- d. All multi-use eating and drinking utensils shall be thoroughly cleaned and sanitized after each use. Domestic dishwashers that have a sanitizing cycle may be used to clean and sanitize multi-use eating utensils. After sanitizing, utensils shall be air dried. Drying towels shall not be used.
- e. When single-use articles are required, sippy cups, bottles, bottle nipples, pacifiers, and infant spoons may be hand washed, rinsed, and sanitized in the two-compartment sink.
- f. Multi-use utensils shall be sanitized by immersion for at least two minutes in a clean solution containing 50 to 200 parts per million (ppm) of chlorine at a temperature of at least 75°F. A testing method, used in accordance with the product manufacturer's instructions, shall be made available, convenient, and regularly used to test the strengths of the sanitizing solution to ensure the prescribed concentration is met.
- g. A metal stem-type, thin probe, numerically scaled indicating product thermometer that is accurate to ± 3 degrees Fahrenheit shall be used to check internal food temperatures.

Section 7. Storage and Handling of Food Service Utensils and Equipment

- a. All containers and sanitized utensils shall be stored in a clean place.
- b. Containers and sanitized utensils shall be covered, inverted, stored in tight, clean cabinets, or otherwise stored in such a manner as to prevent contamination.
- c. Single-use articles shall be stored in a clean dry place until used and shall be handled in a sanitary manner.

Section 8. Water Supply

- a. The water supply shall meet the requirements of 15A NCAC 18A .1700 Protection of Water Supplies. In addition, any home using a groundwater supply that serves 25 or more people shall

provide documentation from the Public Water Supply Section that the well meets the requirements of 15A NCAC 18C. A water sample shall be collected by the Department and submitted to a state certified laboratory for bacteriological analysis annually if the family child care home is not served by a community water supply. Other tests of water quality, as indicated by possible sources of contamination, may be collected by the Department.

- b. Hot and cold water under pressure shall be provided to meet the needs of cooking, cleaning, drinking, toilets, and outside uses in accordance with the North Carolina Plumbing Code.
- c. No cross-connections with an unapproved water supply shall exist. If the potential for back siphonage or backflow conditions exist, an approved atmospheric vacuum breaker or backflow prevention device shall be installed in accordance with the North Carolina Plumbing Code.
- d. Hot water accessible to children at all handwashing sinks shall not be less than 80°F and shall not exceed 110°F.
- e. A plumbing system shall be maintained in good repair.

Section 9. Lead Poisoning Hazards in Family Child Care Homes

- a. In family child care homes, areas accessible to children shall be free of identified lead poisoning hazards under GS 130A-131.7(7).
- b. Family child care home operators, shall test, once every three years, all water outlets used for drinking or food preparation to ensure that drinking water in family child care homes is free of identified lead poisoning hazards.

Section 10. Toileting

- a. All toilet fixtures shall be clean and in good repair.
- b. Toilet tissue paper shall be provided in each toilet room and stored in a clean, dry place.
- c. Toilet rooms shall be kept free of storage.
- d. Potty chairs shall not be used. In lieu of potty chairs, child size seat adaptors are required.

Section 11. Lavatories

- a. Lavatories shall be located to comply with the appropriate handwashing requirements of these Rules, easily cleanable, clean, in good repair, and kept free of storage. Lavatories shall be mounted at an appropriate height to accommodate the children, or otherwise made accessible.
- b. All lavatories shall be equipped with hot and cold running water through mixing faucets. Hot water at faucets accessible to children shall not be less than 80°F and shall not exceed 110°F.
- c. Soap shall be provided at each handwash lavatory area.
- d. Disposable towels or other hand-drying devices shall be provided at every handwash lavatory area.
- e. Handwash signs shall be posted at every handwash lavatory area. The signs shall instruct children and

family child care home employees to wash their hands.

Section 12. Diapering and Diaper Changing Facilities

- a. In family child care homes, children in diapers shall be changed at stations designated for diapering or toileting.
- b. Each diaper changing station shall be in proximity to a handwash lavatory.
- c. Diapering surfaces shall be smooth, intact, nonabsorbent material and shall be kept clean and in good repair. Nothing shall be placed on the diapering surface except for those items required for diapering. If diapering is performed on the floor in a toilet room, then a smooth, intact, nonabsorbent barrier that is clean and in good repair shall be placed on the floor to minimize cross-contamination.
- d. Diapering surfaces shall be disinfected using an approved disinfectant. Approved disinfectants and detergent solution shall be kept in separate and labeled bottles at each diaper changing station. Approved disinfectants that are chlorine disinfecting solutions shall be stored in hand pump spray bottles. No cloths or sponges shall be used on diapering surfaces.
- e. Family child care home employees shall change a child's diaper as follows:
 1. gathering supplies before placing child on diapering surface;
 2. donning disposable gloves (if needed);
 3. using disposable towelette or moistened paper towel to clean child, wiping front to back;
 4. disposing of gloves if used, soiled towelettes and diaper in a plastic-lined, covered receptacle;
 5. wiping the family child care home employee's hands and the child's hands each with a separate disposable towelette or moistened paper towel;
 6. sliding a clean diaper under the child, applying diapering products if needed, using facial or toilet tissue, and discarding the tissue in a plastic-lined, covered receptacle;
 7. fastening the diaper and placing clothing on child;
 8. washing child's hands in accordance with Section 3 of this Ordinance, or, if child is unable to support the child's head, cleaning the child's hands with a disposable towelette or moistened paper towel, then drying the child's hands and returning the child to a supervised area;
 9. spraying entire diapering surface with detergent solution and wipe clean, using disposable paper towels;
 10. spraying entire diapering surface with an approved disinfectant and allowing to remain on the surface for two minutes or as specified by the manufacturer, or air dry; and
 11. washing hands in accordance with Section 3 of this Ordinance even if disposable gloves are used by the family child care home employee.
- f. Signs that instruct family child care home employees on proper methods of diaper changing and handwashing as set forth in the rules of this Section shall be posted in each diaper changing area.

Section 13. Sleeping Arrangements

- a. An individual sleeping arrangement with individual linens shall be provided for each pre-school aged child in care for four hours or more. If mats are used, they shall be at least two inches thick and covered with a nonabsorbent material. Linens shall be changed weekly or whenever they become soiled or wet.
- b. Infants aged 12 months or younger:
 1. Shall sleep in a crib, bassinet, or playpen with a firm padded surface.
 2. Shall sleep in a room that does not exceed 75°F.
- c. A bed, crib, or cot equipped with a firm waterproof mattress at least four inches thick shall be provided for each child who remains in the home overnight.
- d. Placement of beds, cots, or mats shall allow a reasonable distance between children's heads and a walking space between beds, cots, or mats that prevent physical contact between children.
- e. Beds, cots, or mats shall be maintained clean and in good repair.

Section 14. Sick Children

- a. Each family child care home shall include a labeled designated area for a child who becomes ill to the extent that she or he can no longer participate in the routine group activities.
- b. A separate area which can be easily supervised for sick children shall be provided. Parents shall be notified immediately if their child becomes sick.
- c. When in use, such area shall be equipped with a bed, cot, or mat and a vomitus receptacle and shall be cleaned and disinfected after each use.
- d. Thermometers and all materials used in the designated area, including toys, shall be cleaned, and sanitized after each use. Linens shall be changed after each use.

Section 15. Floors, Walls, and Ceilings

- a. Floors, walls, and ceilings of all rooms and areas shall be kept clean and in good repair.
- b. Floors, walls, and ceilings, including doors and windows, in areas accessible to children shall be free of peeling, flaking, or chalking paint.

Section 16. Storage

- a. Rooms or spaces shall be provided for the storage of necessary equipment, furniture, toys, clothes, beds, cots, mats, and supplies and shall be kept clean.
- b. All corrosive agents, insecticides, rodenticides, herbicides, bleaches, detergents, polishes, items containing petroleum products, any product which is under pressure in an aerosol

dispensing can, and any substance which may be hazardous to a child if ingested, inhaled, or handled (skin contact) shall be stored in a locked storage room or locked cabinet. Cigarette lighters, matches, and similar items which could pose a fire hazard shall be made inaccessible to children.

- c. All medicines shall be kept in locked storage. Locked storage includes those which are unlocked with a combination, electronic, or magnetic device or key. The unlocking devices shall be kept out of the reach of children and shall not be stored in the lock. Emergency medications shall be stored out of reach of children but are not required to be in locked storage.
- d. Non-prescription diaper creams and sunscreen shall be kept out of reach of children when not in use but are not required to be in locked storage.
- e. Individual cubicles or coat hooks shall be provided for storage of coats, hats, or similar items. Coat hooks, not in individual cubicles or lockers, shall be spaced at least 12 horizontal inches apart. Toothbrushes shall be individually identified, allowed to air dry, and protected from contamination. When a tube of toothpaste is used for multiple children, the toothpaste shall be dispensed onto an intermediate surface such as waxed paper then dispensed to each brush.

Section 17. Employee Hygiene

- a. In family child care homes, employees shall wear clean clothing while at work.
- b. Cigarettes, cigars, pipes or any other tobacco, electronic cigarette or lighted product of any kind shall not be permitted indoors while children are in care.
- c. Volunteer personnel shall adhere to the same requirements as family child care home employees.

Section 18. Toys, Equipment, and Furniture

- a. Toys, equipment, and furniture provided by a family child care home shall be maintained clean and in good repair.
- b. Toys and other mouth-contact surfaces that are used by children shall be cleaned and then sanitized after each use and when visibly soiled. Toys and other mouth-contact surfaces shall be cleaned and sanitized as follows:
 - 1. the items shall be scrubbed in warm, soapy water, using a brush to reach into any crevices;
 - 2. the items shall be rinsed in clean water;
 - 3. the items shall be submerged in a sanitizing solution for at least two minutes or in accordance with the instructions on the label of the sanitizing solution; and
 - 4. the items shall be air dried.
- c. Toys and other mouth-contact surfaces that are not designed to be submerged in liquid shall be washed and rinsed in place, sprayed with a sanitizing solution, and allowed to air dry. Hard plastic toys may be washed and rinsed in a dishwasher and cloth toys may be laundered and mechanically dried without requiring sanitizing.

- d. Toys, furniture, cribs, or other items accessible to children shall be free of peeling, flaking, or chalking paint.

Section 19. Premises, Solid Waste, and Vermin

- a. The family child care home must be free of rodents, pests, and other vermin.
- b. All windows and doors that are used for ventilation shall be screened.
- c. Garbage shall be stored in waterproof containers with tight fitting lids and removed from the premises at least weekly.
- d. Outdoor play areas shall be kept clean and free of storage and standing water.
- e. Any fencing in or at the play area shall be maintained in good repair.
- f. Equipment and supplies such as lawnmowers, grills, power tools, firearms, ammunition, and nails shall be stored in an area where children are not allowed to play.
- g. Toxic plants shall be stored out of reach of children or in locked storage when pre-school aged children are in care.
- h. Wells, air conditioning units, and utility equipment shall be made inaccessible to children.

Section 20. Wastewater

All wastewaters shall be disposed of in a publicly owned wastewater treatment system or by an approved properly operating on-site wastewater system under 15A NCAC 18A .1900. Septic systems shall be sized to accommodate the resident family and anticipated child care children.

Section 21. Pets

- a. Pets shall not be allowed in any room or area in which food is prepared or stored. Pets, unless caged and restricted from the immediate eating area, shall not be allowed in any room or area in which food is served.
- b. Reptiles shall not be permitted in any rooms or play area where children are allowed.
- c. All food for pets and animals shall be stored in a water-tight, rodent proof container with a tight-fitting lid, and made inaccessible to children.
- d. All household pets shall be vaccinated with up-to-date vaccinations as required by North Carolina law and local ordinances. Rabies vaccinations are required for cats, dogs, and ferrets and shall be kept on file for review by the Department.

Section 22. Swimming and Wading Pools

Swimming and wading pools shall be approved and operated according to 15A NCAC 18A.2500 Rules Governing Public Swimming Pools; therefore, portable wading pools, natural bodies of water, and other unfiltered, non-disinfected containments of water shall not be used for recreational activities.

Section 23. Compliance Inspections and Reports

When requested by a family child care home operator or the Division of Child Development, a sanitation inspection shall be conducted by the local health department within 30 days.

- a. Unannounced inspections of family child care homes shall be made by the Department at least once each six-month period. The evaluation shall be completed on the Sanitation Standards Evaluation Form for Family Child Care Homes. An original and a copy of the form shall be completed by the Department. The family child care home operator and the Department shall retain a copy.
- b. The Department shall indicate on the Sanitation Standards Evaluation Form for Family Child Care Homes whether the classification is superior, approved, provisional, or disapproved.
- c. A Sanitation Classification placard shall be posted and remain in the home in plain view where parents can see it as designated by the Department. The classification of a family child care home is based on the home's compliance with these rules.
- d. A classification of disapproved shall be issued and forwarded to the Division of Child Development when the right-of-entry to inspect is denied or when an inspection is discontinued at the request of the operator or administrator unless the decision to discontinue the inspection is mutual. A classification of disapproved shall also be issued and forwarded to the Division of Child Development when a water sample is confirmed positive for fecal coliform, total coliform, or other chemical constituents in accordance with 15A NCAC 18A .1725.
- e. When an inspection is requested and conducted for the purpose of issuing a license to a new operator, a Sanitation Standards Evaluation Form for Family Child Care Homes shall be forwarded to the Division of Child Development only when the family child care home can be granted a superior classification.
- f. Classification
 1. A family child care home shall be classified as superior if the demerit score does not exceed 15 and no 6-point demerit item is violated.
 2. A family child care home shall be classified as approved if the demerit score is more than 15 and does not exceed 30, and no 6-point demerit item is violated.
 3. A family child care home shall be classified as provisional if any 6-point demerit item is violated or if the total demerit score is more than 30 but does not exceed 45. The provisional classification period shall not exceed seven days unless construction or renovation is necessary to correct any violation, in which case the Department may specify a longer provisional classification period.

4. A family child care home shall be classified as disapproved if the demerit score is more than 45, or if conditions which resulted in a provisional classification have not been corrected in the time period specified by the Department. If the family child care home receives a disapproved classification, the Department shall immediately notify the Division of Child Development by faxing a copy of the inspection form.
- g. The Sanitation Classification placard shall not be removed except by or upon the instruction of the Department.
- h. If the Department determines that conditions found at the family child care home at the time of any inspection or visit are dangerous to the health of the children, the Department shall immediately notify the Division of Child Development by verbal contact. The original inspection report or other documentation of the dangerous conditions shall be sent to the Division of Child Development within two working days following the inspection.
- i. The Department may conduct an inspection of any family child care home as frequently as necessary in order to ensure compliance with the Rules in this Section.
- j. The Department shall use the Sanitation Standards Evaluation Form to document demerits for violations of the rules. A written explanation for each violation shall be documented on a comment addendum form.
- k. In filling out the inspection form, demerits may be assessed only once for a single occurrence or condition existing within or outside the family child care home. Demerits shall be assessed based on actual violations of the Rules of this Section observed during the inspection.

Section 24. Saving Clause

If any provision of these regulations or the application thereof to any person or circumstance is held invalid, the remainder of these regulations, or the application of such provision to other persons or circumstances shall not be affected thereby.

Section 25. Effective Date

These Regulations governing the operation of family child care homes in Cumberland County, North Carolina adopted by the Cumberland County Board of Health, October 15, 2024.

Board of Health Chair: W. Kent Dean