

Further information concerning the 2010 Rules Revision Process

The 2009 North Dakota Legislature created the Early Childhood Services Advisory Board to advise the Department of Human Services on proposed changes to the early childhood services rules. The Board met from December 2009 thru April 2010 to review and revise the proposed changes to the early childhood rules including: In-home, Self-Declaration Providers, Family Child Care Homes, Group Child Care, Child Care Center, Preschool, and School Age Child Care Program.

A public hearing to address proposed rule changes was held at 3:00 p.m. on Wednesday, June 9, 2010, in Bismarck, N.D. in the AV Room - Rooms 210 and 212, located on the second floor of the Judicial Wing of the State Capitol. The providers who gave oral testimony did a very good job. They did so in a very positive manner. They voiced very legitimate concerns however they weren't simply complaining nor were they angry. They shared what rules they were concerned about, why they were concerned, and suggested ways the specific rule in question could be changed to make it acceptable to them. They identified themselves, mentioned which license they had, the rule they wished to address and the page the proposed rule was on. Individuals are encouraged to do likewise during the written comment period.

Written comments could be submitted at the hearing or sent to: Rules Administrator, ND Dept. of Human services, State Capitol - Judicial Wing, 600 E Boulevard Ave., Dept. 325, Bismarck, ND 58505-0250. Written comments were to be received no later than 5:00 p.m. on Monday, June 21, 2010.

Interested persons were encouraged to give comments either supporting specific changes or listing reasons for specific concerns. If you had concerns this was the time to address them.

The Department took all comments into consideration and responded to all comments received with reasons why or why not the comments resulted in changes to the proposed rules. The 46 page document addressed the concerns of the 205 individuals who submitted comments.

The proposed rules, including the changes made as a result of the comments were presented to the Administrative Rules Committee, consisting of legislators, for their final approval on Tuesday September 14, 2010. The goal is that final rules would become effective October 1, 2010 however the Committee tabled the rules until their next meeting which will likely happen in December.

Jennifer Barry, Early Childhood Services Administrator, within the Children & Family Services division of the North Dakota Human Services released the following information, "As you may know, the Department of Human Services has been working on updating the rules for child care programs. The proposed changes were brought before the Administrative Rules committee on September 14. At this meeting, the proposed changes were tabled until the next meeting of the Administrative Rules Committee, which will likely happen in December. The Department plans to bring the same proposed changes forward at the next meeting, and will hope to have a January 1, 2011 effective date of the revised rules. Please contact Jennifer Barry Childhood Services Administrator, at 348-4809 if you have any questions regarding the proposed changes or the rule making process."

The proposed rules would change the ratio for Group and Center so that children age 18 month to 2 years would be in the same ratio group as the 2 to 3 year olds rather than with those age birth to 18 months.

Those who attended the 2003 NDCCPI Conference will remember that NDCCPI petitioned the Department of Human Services Children and Family Services Division for this change in 2003. Petitions were circulated at the conference and in various communities and were signed by providers and parents alike supporting this proposed ratio change. It has taken many years, but NDCCPI is very pleased to have this proposed ratio change included in the 2010 proposed rules for Group and Center.