



MAY 07 2010
Legal Advisory Unit

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John Hoeven, Governor
Carol K. Olson, Executive Director

May 7, 2010

Mr. John Walstad, Code Revisor
North Dakota Legislative Council
State Capitol
Bismarck, ND 58505

RE: Proposed Amendments to N.D. Admin. Code Article 75-03
Licensing of Early Childhood Services Providers

Dear Mr. Walstad:

Enclosed for filing in the office of the Legislative Council is the Notice of Intent to Amend Administrative Rules concerning the above proposed rules as required by N.D.C.C. section 28-32-10. Also enclosed is a copy of the proposed rules.

We have requested publication of an abbreviated newspaper publication notice once in each official county newspaper which will notify the public that an oral hearing on these rules will be held on Wednesday, June 9, 2010, beginning at 3:00 p.m. and continuing until 5:00 p.m., or until no further testimony is offered, whichever occurs first.

If you have any questions or concerns, please contact me at 328-2311. Thank you.

Sincerely,

A handwritten signature in blue ink that reads "Julie Leer".

Julie Leer
Legal Advisory Unit

JL/kh

Cc: Jennifer Barry, Children and Family Services

Enclosures

NOTICE OF INTENT TO AMEND
ADMINISTRATIVE RULES RELATING TO
N.D.A.C. ARTICLE 75-03
LICENSING OF EARLY CHILDHOOD SERVICES PROVIDERS

TAKE NOTICE that the North Dakota Department of Human Services will hold a public hearing to address proposed amendments to N.D. Admin. Code article 75-03 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 proposed amendments to N.D. Admin. Code article 75-03, Licensing of Early Childhood Services Providers, address needed changes to licensing of early childhood services providers, and clarify and create consistency across license types.. The proposed amendments are not anticipated to have an impact on the regulated community in excess of \$50,000.

Chapter 75-03-07 is amended to address changes to licensure requirements for in-home child care early childhood services providers, including staffing requirements and qualifications, background check requirements, safety of children, and appeals provisions.

Chapter 75-03-07.1 is amended to address changes to licensure requirements for self-declaration early childhood services providers, including the issuance of provisional self-declaration documents, staffing requirements and qualifications, background check requirements, facility requirements, safety of children, correction of violations, fiscal sanctions, and appeals provisions.

Chapter 75-03-08 is amended to address changes to licensure requirements for family childcare homes early childhood services providers, including the issuance of a restricted license, staffing requirements and qualifications, background check requirements, facility requirements, safety of children, correction of violations, and appeals provisions.

Chapter 75-03-09 is amended to address changes to licensure requirements for group child care early childhood services providers, including the issuance of a restricted license, staffing requirements and qualifications, background check requirements, facility requirements, safety of children, correction of violations, and appeals provisions.

Chapter 75-03-10 is amended to address changes to licensure requirements for child care center early childhood services providers, including the issuance of a restricted license, staffing requirements and qualifications, background check

requirements, facility requirements, safety of children, correction of violations, and appeals provisions.

Chapter 75-03-11 is amended to address changes to licensure requirements for preschool early childhood services providers, including the issuance of a restricted license, staffing requirements and qualifications, background check requirements, facility requirements, safety of children, and appeals provisions.

Chapter 75-03-11.1 is amended to address changes to licensure requirements for school-age child care program early childhood services providers, including the issuance of a restricted license, staffing requirements and qualifications, background check requirements, facility requirements, safety of children, and appeals provisions.

Copies of the proposed rules are available for review at county social services offices and at human service centers. Copies of the proposed rules and the regulatory analysis relating to these rules may be requested by telephoning (701) 328-2311. Written or oral data, views, or arguments may be entered at the hearing or sent to: Rules Administrator, North Dakota Department of Human Services, State Capitol - Judicial Wing, 600 E. Boulevard Ave., Dept. 325, Bismarck, ND 58505-0250. Written data, views, or arguments on the proposed rules must be received no later than 5:00 p.m. on Monday, June 21, 2010.

ATTENTION PERSONS WITH DISABILITIES: If you plan to attend the hearing and will need special facilities or assistance relating to a disability, please contact the Department of Human Services at the above telephone number or address at least two weeks prior to the hearing.

Dated this 7th day of May, 2010.



John Hoeven, Governor
Carol K. Olson, Executive Director

May 5, 2010

RE: Proposed Amendments to N.D. Admin. Code Article 75-03
Licensing of Early Childhood Services Providers

TO WHOM IT MAY CONCERN:

The Department of Human Services is proposing amendments to N.D. Admin. Code article 75-03, Licensing of Early Childhood Services Providers. The department has adopted procedures to assure public input into the formulation of such rules prior to adoption.

In conformity with those procedures, we are providing you with a copy of the proposed rules and are requesting that you provide any written data, views, or arguments no later than 5:00 p.m. on Monday, June 21, 2010.

The department has scheduled an oral hearing on Wednesday, June 9, 2010. Further information concerning the public hearing is included in the attached notice of proposed rulemaking and public hearing.

Your participation is welcomed, as are your suggestions. Please send all written data, views, or arguments to: Rules Administrator, Department of Human Services, State Capitol - Judicial Wing, 600 E. Boulevard Ave., Bismarck, ND 58505-0250.

Sincerely,

A handwritten signature in black ink that reads "Carol K. Olson".

Carol K. Olson,
Executive Director

CKO/kh

Attachments

Cc: John Walstad, Legislative Council
Jennifer Barry, Children and Family Services