

# RULE ADOPTIONS

## CHILDREN AND FAMILIES

(a)

### OFFICE OF LICENSING

#### Notice of Redoption

#### Manual of Requirements for Child Care Centers

#### Redoption: N.J.A.C. 3A:52

Authority: N.J.S.A. 30:5B-1 through 15.1.

Authorized By: Christine Norbut Beyer, M.S.W., Commissioner,  
Department of Children and Families.

Effective Date: December 20, 2023.

New Expiration Date: December 20, 2030.

**Take notice** that pursuant to N.J.S.A. 52:14B-5.1.c, the rules at N.J.A.C. 3A:52 were scheduled to expire on January 31, 2024. These rules provide the standards by which certain publicly and privately operated child care centers are inspected, examined, and approved.

Subchapter 1 sets forth the chapter’s legal authority, the definition of child care centers, programs exempt from licensure, the meanings of words and terms used in the chapter, and the hours of care for child care centers operating during normal waking hours and normal sleeping hours.

Subchapter 2 sets forth procedures related to licensing procedures, including requirements for applications, approval issuances, center locations, license denials, suspensions, revocations, and renewal refusals. Subchapter 2 further sets forth the standards and procedures for complaints, administrative hearings, and procedures for securing a Certificate of Life/Safety Approval.

Subchapter 3 provides administrative requirements for child care centers, including administrative responsibilities, reporting requirements, center records, comprehensive general liability insurance, communication requirements, and the Information to Parents document.

Subchapter 4 describes staff requirements for child care centers, including, general requirements for sponsors, sponsor representatives, directors, and all staff members. Subchapter 4 includes staffing requirements, staff-to-child ratios and supervision, grouping of children, staff responsibilities and qualifications, staff orientation and development responsibilities, and orientation training requirements. In addition, Subchapter 4 sets forth special requirements to prevent child abuse and neglect, as well as Child Abuse Record Information (CARI) and Criminal History Record Information (CHRI) background check procedures.

Subchapter 5 sets forth the physical facility requirements, including sections describing the applicability of requirements to programs operating in public school requirements, as well as State, county, and municipal requirements, physical plant requirements for all centers, additional physical plant requirements for early childhood and school-age child care programs, and special physical facility and monitoring requirements to prevent child abuse or neglect.

Subchapter 6 describes program requirements related to activities, program equipment for children’s daily activities, food and nutrition, rest and sleep for early childhood programs, release of children, discipline, and parent and community participation. Subchapter 6 further includes special requirements to prevent child abuse or neglect and inappropriate staff behaviors toward children.

Subchapter 7 sets forth health requirements, including, requirements related to illnesses and communicable diseases, attendance by children or staff members known to be infected with Human Immunodeficiency Virus (HIV), health and immunization of children, health of staff members, administration and control of prescription and non-prescription medicines, and health care procedures. Subchapter 7 also includes

1. Building Subcode:

...			
Ch. 31	Special Construction		
	[ISPC, Section 324, except as below	Building/Fire	Building

requirements related to injuries to children while in a child care center, environmental sanitation, personal hygiene, illness logs for early childhood programs, reporting of illnesses, injuries, and reportable diseases, and information to parents regarding the management of communicable diseases.

Subchapter 8 provides requirements for centers serving sick children, including requirements for all centers serving sick children, admission criteria, staff requirements for centers serving sick children and physical facilities requirements for centers serving sick children. Subchapter 8 further sets forth program requirements for centers serving sick children, sanitation and infection controls, and additional records for centers serving sick children.

Subchapter 9 sets forth transportation requirements, including the applicability of transportation requirements, vehicle definitions and requirements. Subchapter 9 further includes requirements related to driver licensing, vehicle-related safety practices, vehicle insurance, transportation records, and vehicle staffing.

The Department of Children and Families has reviewed the rules at N.J.A.C. 3A:52 and found them to be necessary, reasonable, and proper for the purposes for which they were originally promulgated. Therefore, pursuant to N.J.S.A. 52:14B-5.1.c(1), these rules are readopted and shall continue in effect for a seven-year period.

## COMMUNITY AFFAIRS

(b)

### DIVISION OF CODES AND STANDARDS

#### Notice of Administrative Correction

#### Uniform Construction Code

#### N.J.A.C. 5:23-3.4

Effective Date: December 13, 2023.

**Take notice** that the Department of Community Affairs (Department) discovered errors in the text at N.J.A.C. 5:23-3.4, Responsibilities. These errors stem from the adoption of the 2021 model codes, which resulted in formatting and other errors within the responsibilities tables. This notice of administrative correction corrects the placement and titles concerning International Swimming Pool and Spa Code sections in Chapter 31 of the building subcode responsibilities at N.J.A.C. 5:23-3.4(a)1. Additionally, language is included at Section 3109 within Chapter 31 of the building subcode responsibilities at N.J.A.C. 5:23-3.4(a)1 to be in line with the language in the one- and two-family dwelling subcode. Finally, this notice of administrative correction deletes extraneous responsibilities that are not tied to any code section within Chapter 9 of the one- and two-family dwelling subcode responsibilities at N.J.A.C. 5:23-3.4(a)6.

The Department has requested, and the Office of Administrative Law has agreed to, such correction be made administratively. This notice of administrative correction is published pursuant to N.J.A.C. 1:30-2.7.

**Full text** of the corrected rule follows (additions indicated in boldface **thus**; deletions indicated in brackets [thus]):

#### SUBCHAPTER 3. SUBCODES

##### 5:23-3.4 Responsibilities

(a) The enforcement responsibilities of the adopted subcodes are as follows: