

CHAPTER 15**CHILD CARE SERVICES****Authority**

N.J.S.A. 44:10-58.

Source and Effective Date

R.1999 d.377, effective November 1, 1999.
See: 31 N.J.R. 1850(a), 31 N.J.R. 3291(a).

Executive Order No. 66(1978) Expiration Date

Chapter 15, Child Care Services, expires on November 1, 2004.

Chapter Historical Note

Chapter 15, Emergency Housing Program, was filed and became effective prior to September 1, 1969.

Chapter 15, Emergency Housing Program, was repealed by R.1983 d.523, effective November 21, 1983. See: 15 N.J.R. 1430(a), 15 N.J.R. 1944(a).

Chapter 15, Child Care Services, was adopted as new rules by R.1991 d.600, effective December 16, 1991, operative January 1, 1992. See: 23 N.J.R. 2960(a), 23 N.J.R. 3771(a).

Pursuant to Executive Order No. 66(1978), Chapter 15, Child Care Services, was readopted as R.1994 d.628, effective November 23, 1994. See: 26 N.J.R. 3327(a), 26 N.J.R. 5012(b).

Chapter 15, Child Care Services, was repealed and Chapter 15, Child Care Services, was adopted as new rules by R.1999 d.377, effective November 1, 1999. See: Source and Effective Date.

CHAPTER TABLE OF CONTENTS**SUBCHAPTER 1. GENERAL PROVISIONS**

- 10:15-1.1 Purpose and scope
- 10:15-1.2 Definitions
- 10:15-1.3 Opportunity and decision to apply for child care service programs
- 10:15-1.4 Atmosphere of mutual respect
- 10:15-1.5 Nondiscrimination
- 10:15-1.6 Confidential nature of information and disclosure
- 10:15-1.7 Issuance and availability of chapter

SUBCHAPTER 2. ADMINISTRATIVE RESPONSIBILITIES

- 10:15-2.1 Department of Human Services responsibilities in child care service programs
- 10:15-2.2 Divisional responsibilities
- 10:15-2.3 DYFS responsibilities
- 10:15-2.4 Responsibilities and obligations of the UCCA
- 10:15-2.5 Responsibilities of the DFD contracted centers
- 10:15-2.6 Responsibilities and obligations of the CWA
- 10:15-2.7 Parents/applicants rights and responsibilities
- 10:15-2.8 Provider responsibilities

SUBCHAPTER 3. CHILD CARE SERVICES FOR THE WFNJ PROGRAM

- 10:15-3.1 Overview
- 10:15-3.2 Eligibility for child care services made available through the WFNJ program
- 10:15-3.3 WFNJ payment policies
- 10:15-3.4 Hearings and notices

- 10:15-3.5 Refusal of WFNJ/TANF child care benefits

SUBCHAPTER 4. TRANSITIONAL CHILD CARE (TCC) BENEFITS

- 10:15-4.1 Overview
- 10:15-4.2 Eligibility for TCC benefits
- 10:15-4.3 Hearings and notices

SUBCHAPTER 5. NEW JERSEY CARES FOR KIDS (NJCK) PROGRAM

- 10:15-5.1 General provisions
- 10:15-5.2 At Risk Child Care (ARCC) eligibility
- 10:15-5.3 Eligibility for CCDBG
- 10:15-5.4 Eligibility for Child Protective Service (CPS) funds

SUBCHAPTER 6. CONTRACTED CHILD CARE CENTERS

- 10:15-6.1 Purpose and scope
- 10:15-6.2 Application of the admission criteria
- 10:15-6.3 Priorities for admission
- 10:15-6.4 Income eligibility tiers for program entrance
- 10:15-6.5 Siblings and children with special needs and special circumstances
- 10:15-6.6 Initial eligibility determination and re-determination
- 10:15-6.7 Continuation of subsidized child care services
- 10:15-6.8 Responsibilities of the parent/applicant
- 10:15-6.9 Order of admissions
- 10:15-6.10 Waiting lists
- 10:15-6.11 Responsibilities of the child care provider agency in relation to the DYFS Field Office regarding notification of vacancies, referral and placement procedures
- 10:15-6.12 Memorandum of understanding (MOU) for CPS Priority 1 children
- 10:15-6.13 Non-attendance by Priority 1 children
- 10:15-6.14 Reasons for discontinuance of subsidized child care services
- 10:15-6.15 Denial, reduction, or suspension of subsidized child care services
- 10:15-6.16 Administrative review
- 10:15-6.17 Monitoring and compliance

SUBCHAPTER 7. FAMILY DAY CARE (FDC) REGISTRATION PROGRAM

- 10:15-7.1 Overview
- 10:15-7.2 Responsibilities of the UCCA

SUBCHAPTER 8. CPS FAMILY DAY CARE (FDC) NETWORK AND SUPPORT SERVICES

- 10:15-8.1 Program review
- 10:15-8.2 Responsibilities of the UCCA
- 10:15-8.3 Provider responsibilities
- 10:15-8.4 Suspension or termination from the network
- 10:15-8.5 Reporting requirements

SUBCHAPTER 9. CO-PAYMENTS

- 10:15-9.1 Co-payment
- 10:15-9.2 Determination of the co-payment
- 10:15-9.3 Termination resulting from non-compliance of co-payment requirements

SUBCHAPTER 10. PAYMENT POLICIES AND MAXIMUM REIMBURSEMENT RATES

- 10:15-10.1 Payment policies
- 10:15-10.2 Provider requirements
- 10:15-10.3 Payment methods
- 10:15-10.4 Provider overpayments

SUBCHAPTER 11. NEIGHBORHOOD-BASED CHILD CARE INCENTIVE DEMONSTRATION PROGRAM

- 10:15-11.1 Program purpose and scope
- 10:15-11.2 Child care center responsibilities
- 10:15-11.3 UCCA responsibilities

APPENDIX

SUBCHAPTER 1. GENERAL PROVISIONS

10:15-1.1 Purpose and scope

(a) The purpose of this chapter is to set forth the policies for a unified child care delivery system inclusive of all child care programs for which identified funding is received by the Department of Human Services (DHS) and administered through the Division of Family Development (DFD).

(b) The DHS, in fulfillment of its responsibility to develop and implement a Statewide comprehensive child care system and to comply with the most recent Federal welfare reform program under the Personal Responsibility and Work Reconciliation Act of 1996 (PRWORA), Public Law 104-193, has developed and implemented a unified child care delivery system. A unified child care agency (UCCA) is located in each county to ensure that all identified child care services are administered in a uniform method and provided to the public in an efficient and effective manner.

(c) Effective October 1, 1996, PRWORA was enacted. In addition to other provisions, PRWORA repealed existing Title IV-A child care programs and the program authorized by the Omnibus Budget Reconciliation Act of 1990, Public Law 101-508 and consolidated the funds under these programs to form the Child Care Development Fund (CCDF) using Temporary Assistance for Needy Families (TANF), CCDF and State aid to fund the comprehensive system.

(d) The fund consists of discretionary funds authorized under section 658B of the amended Act, and Mandatory and Matching Funds appropriated under section 418 of the Social Security Act. (See P.L. 101-508, as codified at 42 U.S.C. § 9858 et seq.) These funds are also to be used to serve families who:

1. Are receiving assistance under a State program under part A of Title IV of the Social Security Act;
2. Are attempting through work activities to transition off such assistance programs; and
3. Are at risk of becoming dependent on such assistance programs.

(e) The CCDF was developed to ensure the delivery of Statewide child care services to:

1. Eligible families receiving cash assistance benefits through the TANF program and participating in Work First New Jersey (WFNJ);
2. Families at risk of TANF dependency;
3. Employed families who have transitioned off of TANF and are eligible for Transitional Child Care benefits (TCC);
4. Low and moderate income families who are employed or participating in an education/training program; and

5. Children in out of home placement under supervision of the Division of Youth and Family Services (DYFS).

(f) The CCDF also authorizes funds to be used for activities that:

1. Increase parental choice. When a parent elects to enroll the child with a provider that has a grant or contract for the provision of child care services, the child will be enrolled with the provider selected by the parent, to the maximum extent practicable;
2. Provide comprehensive consumer education to parents and the public. The UCCA shall certify that it will disseminate to parents and the general public consumer education information that will promote informed child care choices including, at a minimum, information about the full range of providers and health and safety requirements; and
3. Improve the quality and availability of child care, such as resource and referral services.

(g) The DHS shall operate these child care services programs through the coordination of efforts with the DFD and the DYFS which delineates subsidized child care services available through the DHS.

1. The policies and procedures set forth in this chapter shall be binding on those agencies contracting with the DHS to provide services through these child care service programs and are enforceable through the DYFS and the DFD, the divisions of the DHS jointly responsible for overseeing the child care service programs.

2. The child care programs shall be administered within the framework of Federal and State laws, rules and regulations. Requirements, other than those established pursuant to Federal and State law and this chapter, shall not be imposed as a condition of receiving child care services.

(h) The DHS shall streamline its subsidized child care service system by uniting its many categorical child care programs and functions into a seamless unified child care service delivery system. A primary objective of the DHS is to offer families comprehensive child care services that shall enable families to secure or maintain employment and thus become self-sufficient. The CCDF, in combination with State aid, provides services to low income employed persons and those low income employed persons engaged in a training or educational program. The New Jersey Cares for Kids program also provides child care services for protective services children and those in out of home placements who are identified by the DYFS. Additionally, the child care support services offered to families enrolled in WFNJ and TCC are provided to assist families participating in employment-directed activities and/or to secure and maintain employment. All families shall satisfy the eligibility criteria for the applicable program through which services are provided.