

**CHAPTER 15
CHILD CARE SERVICES**

Authority

N.J.S.A. 30:1-12.

Source and Effective Date

R.2005 d.77, effective January 26, 2005.
See: 36 N.J.R. 4882(a), 37 N.J.R. 630(c).

Chapter Expiration Date

Chapter 15, Child Care Services, expires on January 26, 2010.

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Chapter 15, Emergency Housing Program, was repealed by R.1983 d.523, effective November 21, 1983.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Chapter 15, Child Care Services, was repealed and Chapter 15, Child Care Services, was adopted as new rules by R.1999 d.377, effective November 1, 1999.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: 31 N.J.R. 1850(a), 31 N.J.R. 3291(a).

Subchapter 11, Neighborhood-Child Care Incentive Demonstration, was adopted as R.2000 d.500, effective December 18, 2000. See: 32 N.J.R. 3527(a), 32 N.J.R. 4459(a).

Chapter 15, Child Care Services, was readopted as R.2005 d.77, effective January 26, 2005. As a part of R.2005 d.77, Subchapter 11, Neighborhood-Based Child Care Incentive Demonstration, was repealed, effective February 22, 2005. See: Source and Effective Date. See, also, section annotations.

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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 child care resource and referral (CCR&R) agency 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 CCR&R 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 Department of Children and Families (DCF)/Division of Youth and Family Services (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 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,