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State of New Jersey
DEPARTMENT OF INSTITUTIONS AND AGENCIES
DIVISION OF YOUTH AND FAMILY SERVICES

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STANDARDS FOR APPROVAL
of
CHILD CARE CENTERS

THE CHILD FROM TWO TO FIVE

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DEFINITIONS

The term, child care center, used in Chapter 303, P.L. 1946, applies to all private centers enrolling more than five children between two and five years of age with four exceptions.¹

By whatever name the group is called, e.g., private nursery school, day nursery, cooperative group, play group, camp, the program should provide for all phases of a child's physical, social, emotional, and mental development.

PURPOSE OF STANDARDS

1. To establish adequate standards for physical facilities, personnel and a program for the care and guidance of children in the two to five year age group.
2. To provide a basis for consultation with boards and staffs of child care centers and to inform them regarding the requirements necessary for obtaining a certificate of approval from the State Department of Institutions and Agencies.
3. To provide a source of information whereby the public may be informed of the status of these groups.
4. To protect the standing of reputable nursery schools and other child care centers.

¹It shall not include (1) the State Board of Children's Guardians of the Department of Institutions and Agencies, or (2) any aid society of a properly organized and accredited church or fraternal society organized for aid and relief of its members, or (3) any children's home, orphan, asylum, children's aid society, or society for the prevention of cruelty to children, incorporated under the laws of this State and subject to visitation or supervision by the State Department of Institutions and Agencies, except in the conduct of a philanthropic day nursery, or (4) any other public agency operated by a county, city, municipality or school district.

RULES AND REGULATIONS

1. Procedure for Operating Centers

a. A person or persons planning to open a center for a group of more than five children over the age of two and under the age of five years, in which any tuition, fee, board, or other form of compensation for the care of the children is charged, shall apply to the State Department of Institutions and Agencies for an Application for Certificate of Approval.

b. Every private group, coming under the provisions of N.J.S.A. 18A: 70-1 to 9^b shall apply for and obtain from the Commissioner of Institutions and Agencies a Certificate of Approval before opening.

c. The application form shall be completely filled in and filed with the Commissioner of Institutions and Agencies, accompanied by a money order or a certified check for seventy-five dollars (&75.00) made payable to "Treasurer, State of New Jersey" (Chapter 116, P.L. 1954). In the event the certificate is denied this fee shall be returned.

d. A visit shall be made by a representative of the State Department of Institutions and Agencies and a report made to the Commissioner of Institutions and Agencies.

e. The housing shall meet local building, sanitation, and fire codes.

f. The local health and fire departments shall certify that there is no hazard to the health and safety of the children. Stairs, furnace, hot water heater, bathroom, kitchen, exits, fire escapes, fire extinguishers, plumbing and the electrical facilities shall have been found to be safe and there shall be no other undue hazards.

g. A Certificate of Approval shall be issued to any child care center that qualifies under the standards. This Certificate of Approval shall be in force for a period of three years unless revoked for a good cause. The Commissioner of Institutions and Agencies may issue a temporary certificate for a shorter period.

h. The Certificate of Approval shall state the maximum number of children for which approval is granted.

i. The Certificate of Approval shall be renewed every three years, subject always to the approval standards.

j. Any changes in the location of the nursery, the building, enrollment, or staff after a Certificate of Approval is issued, shall be reported to the State Department of Institutions and Agencies within 30 days.

k. A Certificate of Approval of a child care center or facility may be denied, suspended or revoked if, after a physical inspection of the premises and a hearing performed, conditions are found which are hazardous and which, if not corrected or abated, would endanger the health, safety and well-being of the children and/or occupants of the child care facility. If such conditions are found to exist, the Commissioner, or his designated representative, shall order an immediate correction or abatement of any and all violations that present an imminent hazard to the health, safety and well-being of the children and/or occupants of the center or facility, or, upon good cause, may request the premises to be vacated until such time as the safety and well-being of the occupants has been secured.

^bStandards for the Issuance of a Certificate of Approval for a Child Care Center Pursuant to N.J. Statute Annotated 18A: 70-1 to 9.

PERSONNEL

1. There shall be a minimum of two adults for any total school group.
2. The children shall not be left unattended at any time.

Qualification of Staff

1. The person responsible for setting the educational policies and program shall be a qualified nursery school teacher as here and after prescribed.
2. Each adult person connected with a child care center shall present to the center an annual written statement from a qualified physician certifying his physical health, including freedom from tuberculosis determined by medical and chest X-ray examinations.

Director

1. The director shall be qualified by professional knowledge, training and experience in the fields of education, child psychology, social group work or social case work.
2. If he is responsible for the educational program, he shall meet the qualifications hereinafter prescribed for the head teacher and in addition should have administrative ability and be able to work effectively with people. (The director and head teacher may be the same person.)

Head Teacher

The head teacher shall be the person responsible for the school program.

1. The head teacher shall
 - a. Hold a New Jersey nursery school certificate.
 - b. Have had at least two years' teaching experience in an approved nursery school as a teacher.

OR

2. The head teacher shall
 - a. Hold a New Jersey teacher's certificate with a nursery school endorsement, based on six semester hour credits of specialized nursery school training as specified in the rule.
 - b. Have had at least two years' teaching experience in an approved nursery school (under a qualified nursery school teacher).

Group Teacher

A group teacher is one who teaches under the supervision of a head teacher.

1. A group teacher shall
 - a. Have had two full years of college work.
 - b. Have had fifteen semester hours of college work in the areas of nursery school curriculum and child development.
 - c. Have had one years' teaching experience as an assistant or as a student teacher in an approved nursery school.

OR

2. A group teacher shall
 - a. Have had 15 semester hours of college work in early childhood

education including child development and curriculum, and be enrolled in a college program.

- b. Have had two years' experience as an assistant in an approved nursery school (under a qualified nursery school teacher).

Assistant

1. He shall be a high school or secondary school graduate, or a parent.

PHYSICAL FACILITIES

1. All centers shall include play rooms, isolation room, coat room or lockers, storage space, washing and toilet facilities and outdoor play space.
2. Kitchen and sleeping facilities shall be provided for a full day program.

Housing

1. All child care center facilities as defined in N.J.S.A. 18A:70-1 shall be located on the street floor of a building. Applicants seeking to locate a center in other than a ground floor location must have prior written approval of the Division of Youth and Family Services of the Department of Institutions and Agencies and must meet safeguards as determined and approved by the Division to protect the health, safety and well being of the occupants.
2. Street floor shall be defined as a floor, usually the principal entrance floor, that is not more than 1/2 story above or below grade at the location from which egress is provided to the street.
3. Basement rooms shall not be used unless specially approved, except when used during short periods as necessary play space in inclement weather. Ventilation and lighting shall be adequate. The floor and walls shall be free from dampness and odors.
4. Rooms used as family living quarters shall not be included, unless specially approved.
5. Two unobstructed exits shall be provided from all floors and basement areas used by the children, as a safety precaution. These exits shall be easily accessible to the rooms and to the out of doors. Outside exit doors shall open outward.
6. Walls and floors shall be finished in such a manner that they may be cleaned frequently.
7. Fireplaces, open face heaters, stoves, hot radiators, electrical outlets, and hazardous windows, in rooms used by children, shall be adequately protected by screens or guards.
8. Stairs shall be easy and safe for children's use with a handrail that children can easily reach.
9. A temperature of 68-72 degrees shall be maintained throughout the day at a point two or three feet from the floor when the outdoor temperature is below 68 degrees.
10. The water shall be of a safe, sanitary quality obtained from a water system which has been approved by the Board of Health.
11. No common drinking utensil shall be permitted.

Play Rooms

1. To provide for varied activities, the play room shall allow a minimum of thirty square feet of floor space per child based on the enrollment, exclusive of bathroom, lockers, kitchen, office and storage.
2. There shall be a minimum of 20 foot candles of light in all parts of the play room.
3. Low open shelves shall be provided for unit blocks, transportation toys, and other materials with enough adjacent space in which to build.
4. Furniture shall be child size and sturdy.

Resting Facilities

1. For the half day program each child shall be provided with an individual rug, mat or cot.
2. For the all day program, children shall have individual cots, sheets, and blankets. Beds used by members of the household shall not be used by the children. Cots, bedding and rugs shall be kept clean.

Toilet Facilities

1. At least one toilet and washbowl with low mirror shall be provided for every fifteen children. These facilities shall be kept in a sanitary condition. A supply of hot and cold water shall be provided. Location of these facilities shall at least in part, be on the same floor as the main play room.
2. If cloth towels and wash cloths are used, they shall be individually marked and hung up.

Isolation Room

1. Suitable arrangements shall be made for the isolation of a child in the event of illness until such time as he can be taken home.
2. The isolation room shall be furnished with articles that can be thoroughly cleaned and with bedding that can be boiled or aired in the sunshine.

Kitchen

1. When children remain for lunch, a separate unit shall be provided for the kitchen. This shall be equipped with stove, refrigerator, sink, with hot and cold water, dishes and cooking utensils, adequate to prepare and serve the noon meal as well as midmorning and afternoon snacks. It shall be kept clean and well lighted.
2. Closed cupboards shall be provided for the storage of dishes and cooking equipment.
3. All dishes and utensils used for serving or preparing food shall be sanitized. If used, towels shall be boiled daily.
4. Kitchens shall be screened from May 1 to November 1 and effective methods used as a protection against insects and rodents.
5. Garbage shall be kept in closed containers, removed from the building daily, and garbage cans washed frequently.

Outdoor Play Space

A minimum of 100 square feet per child of outdoor space shall be provided and shall be adequately fenced or otherwise protected from hazards from traffic and driveways.

Equipment and Materials

The equipment shall be safe, with no sharp edges, points or splinters, easily cared for and suitable. It shall provide for different types of activities and serve particular needs and interests of the age groups.

HEALTH CARE

1. Each child shall be inspected daily by a person familiar with the child and competent to recognize symptoms of communicable diseases and ill health.
2. Each child shall have a complete physical examination by a physician before admission.
3. The school shall provide a form upon which the physician shall submit a record of the child's health history, immunization data, and the findings of the last medical examination.
4. A child having a physical or mental handicap which requires special care or continued close supervision shall be enrolled only with the approval of the physician.
5. A first aid kit shall be provided and kept completely stocked and a person on the staff qualified to give first aid. A doctor shall be readily available for advice in planning the health program and for emergencies.
6. Any child who has been absent because of illness shall be readmitted only with a certificate from the family physician, the school physician, or the

local Department of Health.

7. Children in an all day program shall have a rest period on cots of at least one half hour after the noon meal.

8. A hot lunch shall be served, if the program runs through the noon meal. Meals shall be nutritionally adequate. An adequate lunch shall include at least

- a. one-half pint of plain whole milk as a beverage.
- b. one ounce of protein (lean meat, poultry, fish or cheese).
- c. one-half cup of vegetables or fruit or both.
- d. one portion of bread.
- e. one teaspoon of butter or margarine.

TRANSPORTATION OF CHILDREN TO AND FROM CHILD CARE CENTERS

(Formerly Rules 1611 through 1615, Rules of the Commissioner)

(Pursuant to N.J.S.A. Title 18A:70-3)

(See Also: N.J.A.C. 8:21 et seq., Rules and Regulations of State Board of Education, Transportation of Pupils in Small Vehicles)

- (a) Qualification of Drivers (formerly Rule 1611, Rules of the Commissioner)
A driver transporting pupils to and from any child care center shall possess a valid School Bus Driver's License issued by the Division of Motor Vehicles. He shall be a reliable person of good moral character and not less than 21 years of age.

Note

A parent transporting only his own child or children on a for-hire basis will not be required to possess a School Bus Driver's License. If, however, the parent in this case utilizes a vehicle which has a capacity greater than 6, the Division of Motor Vehicles will require the driver to possess a Special Bus Driver's License as required by N.J.S. 39:3-10.1.

- (b) Vehicle Specifications (formerly Rule 1612, Rules of the Commissioner)
- (1) No small vehicle, as defined in N.J.A.C. 8:21-90, shall carry more than 16 children; there shall be no standees.
 - (2) When 17 or more children are transported, the vehicle shall comply with all the bus specifications prescribed by Rules 8:21-90-8:21-106 N.J.A.C.
 - (3) The body and equipment of every small vehicle shall conform to the following:
 - (i) Minimum seat width - 12 inches for each child; 15 inches for each adult.
 - (ii) Seats and back rests - securely fastened (no "jump-type" or folding seat will be approved), forward facing, spring or foam rubber upholstered. Exit from any seat in the vehicle must be clear of all obstruction. No vehicle will be approved where exit requires the folding of any seat ahead.
 - (iii) Heater capacity - 50 degrees F minimum.
 - (iv) Windshield wipers - dual.
 - (v) Rear-view mirrors - approved inside and outside. Outside mirror must be mounted on driver's side of vehicle.
 - (vi) Minimum emergency equipment - spare tire, jack and at least three red reflector warning devices.

- (vii) Chains and snow tires - as required by the County Superintendent of Schools - must be used for safe operation in areas of snow and/or ice.
 - (viii) Fire Extinguisher - fully charged, with minimum underwriters rating of B-2, C-2, (or 1/2 B.C.), located at the front and to the right of the driver.
 - (ix) First-aid Kit - dust-proof metal unit without a lock, with the words First Aid printed on the cover and with contents to be maintained as hereinafter provided:
 - 6 - single units sterile pads 3x3 inches
 - 2 - 1 inch x 10 yds. bandage
 - 12 - plastic strip bandages
 - 1 - triangular bandage, 1 - 1 inch x 2 1/2 yds. adhesive
 - 2 - paper cups
 - 1 - scissors
 - 1 - First Aid guide booklet
 - (x) Sun visor adjustable
 - (xi) Floor covering - must be non-skid material securely attached.
- (c) Insurance (formerly Rule 1613, Rules of the Commissioner)
 Each contractor shall furnish liability insurance for bodily injury or death in the following minimum amounts: \$300,000 for one person, \$500,000 for one accident.
 Such insurance shall be through a company authorized to insure in New Jersey.
 In lieu of the policy or certificate of insurance hereinbefore prescribed, self-insuring corporations may file the certificate prescribed in N.J.S. 48:4-12 and 13.
 Photostat of the policy or certificate of insurance shall be attached to the Application for Certificate of Approval. The original or certified copy shall be retained on file in the child care center.
- (d) Safety Practices (formerly Rule 1614, Rules of the Commissioner)
- (1) When more than six children are transported in one vehicle, there shall be another adult in the vehicle in addition to the driver.
 - (2) At no time shall children be unattended in a vehicle.
 - (3) All small vehicles shall be inspected semi-annually by the Division of Motor Vehicles, in cooperation with the County Superintendent, who shall notify each center of the schedule of inspections; the responsibility for notifying the County Superintendent of vehicles to be inspected shall be that of each center.
 - (4) Children shall be loaded and unloaded from the curb side of the vehicle and on the right side of the street, except one-way streets.
 - (5) When unloading, the driver shall make certain that a responsible person is present to take care of the child.
 - (6) Each vehicle shall be uncluttered and thoroughly clean at all times.
 - (7) Doors shall be opened and closed by the driver or by the attendant, and no obstacle shall obstruct clear passage to doors.
 - (8) Windows shall not be more than 50 per cent open at any time.
 - (9) When a tire is worn smooth or is otherwise in poor condition, the tire shall be replaced with an approvable tire.
- (e) Transportation Records (formerly Rule 1615, Rules of the Commissioner)
- (1) Each center shall keep on file a list of the children transported, the distance each child is transported, the name of each driver, and the year, make and model of each vehicle used.

- (2) These records shall be available to the Commissioner of Institutions and Agencies or his representative.

TITLE 18A
CHAPTER 70

CHILD CARE CENTERS

Sec.

- 18A:70-1. "Child care center" defined
18A:70-2. Certificate of approval necessary to operation.
18A:70-3. Standards governing education, health, welfare and transportation.
18A:70-4. Duration of certificate; revocation.
18A:70-5. Open for inspection.
18A:70-6. Information and reports required; refusal of certificate.
18A:70-7. Assistance in carrying out purposes of chapter.
18A:70-8. Operation without certificate; misdemeanor.
18A:70-9. Appointment of officer and employees; compensation.

18A:70-1. "Child care center," as used in this chapter, shall include every private nonsectarian child care center, day nursery, nursery school, boarding school, or other establishment of similar character for the care of children, in which any tuition fee, board, or other form of compensation for the care of children, is charged and in which more than five children over the age of two years and under the age of five years are cared for, but it shall not include:

- a. The Division of Youth & Family Services of the Department of Institutions and Agencies, or
- b. Any aid society of a properly organized and accredited church or fraternal society organized for aid and relief of its members, or
- c. Any children's home, orphan asylum, children's aid society, or society for the prevention of cruelty to children, incorporated under the laws of this state and subject to visitation or supervision by the state department of Institutions and Agencies, except in the conduct of a philanthropic day nursery, or
- d. Any other public agency operated by a county, city, municipality or school district.

18A:70-2. Certificate of approval necessary to operation

No child care center which is now or hereafter shall be established shall be operated or conducted, except by authority of a valid certificate of approval issued by the commissioner under rules prescribed by him. Application for the issuance or renewal of a certificate shall be accompanied by a fee of \$75.00, which shall be returned if the application is denied.

18A:70-3. Standards governing education, health, welfare and transportation

The commissioner, after consultation with the commissioner of Education and the state commissioner of Health, or any person or persons whom they shall designate to act for them, shall prescribe suitable standards governing the education, health, and welfare of the children cared for in any child care center, and the transportation of children to and from school when the transportation is furnished by such child care center.

18A:70-4. Duration of certificate; revocation

Each certificate of approval shall be valid for a period of three years from the date of issue and may be revoked for good cause at any time after hearing.

18A:70-5. Open for inspection

Each child care center shall at all times be open for inspection, to any officer designated by the commissioner, who may conduct a full and complete examination of all facilities and methods of operating of such child care center at any time.

18A:70-6. Information and reports required; refusal of certificate

Each child care center shall furnish such information and reports from time to time as the commissioner shall deem necessary and proper and in the manner and on forms prescribed by him and failure to furnish any such information or report or to conform in every particular to standards prescribed for such child care centers shall be good and sufficient reason for the refusal of a certificate of approval previously granted.

18A:70-7. Assistance in carrying out purposes of chapter

The commissioner may request the assistance of the commissioner of Education and the state commissioner of Health in carrying out the purposes of this chapter.

18A:70-8. Operation without certificate; misdemeanor

Any person, firm, corporation or association, operating or conducting any child care center except by authority of a valid certificate of approval as required by this chapter, shall be deemed guilty of a misdemeanor.

18A:70-9. Appointment of officer and employees; compensation

The commissioner, may appoint such officers and employees and fix their compensation and expenses, within the limits of available appropriations, as may be necessary to carry out the purposes of this chapter.