

[ ] indicates proposed deletions, \_\_\_ indicates proposed additions

Citation	Proposed Amendment	Rationale
1.1(b)2	1.1(b)2. Inspect and examine the physical plant or facilities <u>including but not limited to storage areas, additional floor levels, and rooms which are not approved for use that are adjacent to the child care center, and program of a child care center without delay or an escort,</u> and inspect all documents, records, files, or other data maintained pursuant to the above referenced law during the center's normal operating hours and without prior notice; and	This provision ensures that the inspection includes all areas of the building. This ensures that there are no imminent hazards throughout the building where the center is located and that children are not in unapproved areas of the building.
1.1(i)	<u>(i)Initial program inspections cannot be completed unless six or more children are present at the center.</u>	This provision clarifies that an initial program inspection cannot be conducted when six or more children are not present at the center. Observations of the staff and children are critical when assessing compliance of the programmatic requirements.
1.2(d)	<u>1.2(d) 2.</u> <u>i. If the private school has satellite schools the following shall be submitted:</u> <u>(1) A complete list of the satellite school(s) and the total number of children enrolled at each site.</u> <u>(2)Documentation of the distance and travel time from the satellite schools to and from the private school. The travel times must be at hours to include arrival time at the school and departure time.</u> <u>(3) A parent handbook.</u> <u>(4) Documentation affirming how both staff and parents at the satellite schools know about options for continuing education at the private school.</u>	This provision requires the private school to submit specific documentation regarding satellite schools of which they are requesting exemption.
1.2(d) 4.	<u>iii. Provide the following documentation for tutorial or homework programs:</u> <u>(1) Children under six years of age do not attend the program for more than two hours.</u> <u>(2) The tutorial or homework instruction is not designed for child care purposes.</u> <u>(3) The tutorial or homework program is supervised on a full-time</u>	This provision requires tutorial or homework programs to submit more detailed documentation of the program. A thorough review of the documentation is required to assess whether licensure is required or the program is exempt from licensure.  Comment: Multiple tutorial or homework programs that requested exemption status were determined to be providing custodial care for

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	<p><u>basis by an adult.</u></p> <p>(4) <u>There is not agreement, written or implied between the tutorial or homework program and the parent to assume responsibility for the care of the child.</u></p> <p>(5) <u>There is not agreement, written or implied between the tutorial or homework program that transportation is provided by the program.</u></p>	<p>school age children and licensure was required.</p>
1.3	<p><u>"Licensed capacity" means the maximum number of children a center can serve in the rooms approved as licensed space by the Office of Licensing.</u></p>	<p>This provision clarifies the definition of "licensed capacity" and adds the definition of the licensed room capacity.</p>
2.1 (g)	<p><u>The completed application shall include the center's email address.</u></p>	<p>This provision requires all centers to include the email address of the center on the completed application form.</p> <p>Comment: The Office of Licensing sends notifications to the child care centers via email. This means of communication expedites receipt of more critical information for the centers.</p>
2.2	<p><u>(i) For those centers that do not have children in attendance for a period of six months or more, the centers will be deemed as closed and a new license will be issued should the center decide to serve children in the future.</u></p>	<p>This provision clarifies that the length of time a center can remain licensed without children in attendance and what action is taken after the six month timeframe.</p>
2.3(d)	<p>3. The Office of Licensing may require the center to, <u>during operating hours,:</u> _____ iii. <u>Not share common areas, such as hallways, gyms, entryways; and/or</u> _____ iv. <u>Have a schedule for outdoor time if outdoor play area is shared</u></p>	<p>This provision defines the requirements for multiple centers coexisting in one building.</p>
2.3	<p><u>(e) All new or relocating centers, as of August 6, 2016, shall not be located in a building that was formerly a dry cleaner or funeral home.</u></p>	<p>This provision adds the requirement that new or relocating centers shall not be located in a building that was formerly a dry cleaner or funeral home due to ongoing concerns regarding indoor air quality.</p>
2.4(a)	<p><u>14. Failure to comply with the provisions of the manual with a current license shall prevent a sponsor from obtaining a license for an additional child care center.</u></p>	<p>This provision prevents a sponsor from obtaining a license for another child care center when there are serious regulatory concerns with the operations of the sponsor's current license.</p>
2.4(g)	<p><u>The Office of Licensing may require the center to submit in writing a corrective action plan indicating the time frame and the actions the</u></p>	<p>This provision requires centers to submit in writing a corrective plan of action which outlines how the center will comply with the</p>

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	<u>center will take to comply with all applicable provisions of this manual.</u>	outstanding violations.								
3.3(b)	2.i. Records for staff members currently working at the center shall be maintained on file at the center [, unless otherwise specified in this manual].	This provision requires that the CHRI and CARI background check clearances be maintained on file at the center. This ensures an immediate review of staff records for the inspector to determine if staff present have completed the CHRI and CARI background check clearances.								
3.5(b)	(b) The center shall provide parents of all enrolled children with its telephone number, either in writing or by e-mail. <u>This telephone number must be a land line or cell phone that provides parents direct onsite contact at all times.</u>	This provision adds the option for centers to use a site cell phone to provide direct onsite contact at all times.								
4.3(a)	The children shall be <u>directly</u> supervised by a staff member at all times, including during outdoor activities, rest and sleep, toileting procedures, and walking through hallways [, as appropriate for their ages and developmental needs, the physical setting, and the nature of the activity].	This provision adds and clarifies that staff shall be physically present in the room or area including nap rooms to ensure direct supervision of the children during rest and nap time. Children who are presumed to be sleeping might be awake and in need of staff's attention.								
4.3(a)	2.The center shall ensure that all staff members are trained in the method of keeping track of children <u>and know how many children are in their care at all times.</u>	This provision requires staff to know how many children are in their care at all times to ensure adequate supervision, the location and safety of the children and in case of emergency situations.								
4.3(d)	(d) The following staff/child ratios shall apply during rest or sleep, when the criteria listed in (d) 1, 2, [and] 3 <u>and 4</u> below are met: <table border="0" style="margin-left: 20px;"> <tr> <td style="padding-right: 20px;">Age</td> <td>Staff/Child Ratio</td> </tr> <tr> <td>Under [2 ½ years]<u>18 months</u></td> <td>1:10</td> </tr> <tr> <td><u>18 months up to 2 ½ years</u></td> <td>1:12</td> </tr> <tr> <td>2 ½ years and above</td> <td>1:20</td> </tr> </table>	Age	Staff/Child Ratio	Under [2 ½ years] <u>18 months</u>	1:10	<u>18 months up to 2 ½ years</u>	1:12	2 ½ years and above	1:20	This provision revises the nap time ratios for children 18 months and younger once all of the children are sleeping.
Age	Staff/Child Ratio									
Under [2 ½ years] <u>18 months</u>	1:10									
<u>18 months up to 2 ½ years</u>	1:12									
2 ½ years and above	1:20									
4.3(d)	(d)2. A sufficient number of staff members shall be in the facility and readily accessible to ensure compliance with the <u>awake</u> staff/child ratios specified in (c ) above. 3. Naptime preparations shall have been completed and all children above [12] <u>18</u> months of age shall be resting or sleeping. [while all children 12 months of age or below shall be sleeping.] <u>1/T4.For children 18 months of age or below:</u> i. <u>All children shall be sleeping</u>	This provision revises the age requirement wherein all children below 18 months of age shall be sleeping ensuring closer supervision								

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	<p><u>ii. Naptime preparations shall have been completed</u>  <u>iii. Awake ratios shall be resumed once the first child wakes from nap</u></p>	<p>when the children are resting and may not yet be sleeping.                      Comment: The criteria for staff/child ratios during rest apply when all children below 18 months are asleep.</p> <p>This provision requires centers to resume awake ratios once the first child wakes from nap. The children require closer supervision and more staff are needed once the children begin to wake from napping.</p>
<p>4.5(c)</p>	<p>(c) 1. [The director or his or her designee(s) shall be on the premises at all times when the center is operating.] <u>The director shall be scheduled to work at the center at least 50 percent of the center’s daily operating hours. During scheduled or unscheduled absences, the designee shall complete director responsibilities as defined in (c) 2 below. Absences shall not exceed the time limits specified in (d) below.</u></p> <p>2. [The director shall be scheduled to work at the center at least 50 percent of the center’s operating hours.] <u>The director or his or her designee(s) shall be on the premises at all times when the center is operating and the following shall apply:</u></p> <p><u>i. The designee shall not have full time classroom responsibilities during the times when the director is not present at the center.</u>  <u>ii. The designee shall complete staff development in understanding licensing regulations as provided by the Office of Licensing.</u>  <u>iii. The designee shall be required to complete 20 hours of continuing staff development each year.</u></p>	<p>This provision requires the director to be present at the center on a daily basis. This clarifies the requirement requiring the director to be present at the center each day and that the required hours cannot be combined on certain days. The director is responsible for the overall daily operations of the center and requiring time in the center each day allows for more consistent communication for the families and staff.</p> <p>This provision requires the director designee to have additional training requirements to ensure that there is adequate oversight of the daily operations of the center and consistent communication with the families and staff.</p>

Citation	Proposed Amendment	Rationale
4.5(e)	<p><u>I/T 8. All staff that work with children under 2 ½ years of age shall have training specific to this age group including, but not limited to, the New Jersey Infant/Toddler Credential administered through Professional Impact NJ or other trainings specifically related to the care of infants and toddlers. This training shall be completed within 90 days of hire.</u></p>	<p>This provision enhances staff competence specific to the age group in which the staff is assigned to at the center. Staff are better able to make informed decisions regarding children’s development, health and safety.</p> <p>Comment: For example, for those centers licensed to serve children less than 2 ½ years of age staff working in these classrooms shall have training and experience specifically related to the care of infants and toddlers such as the Infant/Toddler Credential.</p>
4.7	<p><u>4.7(a)The center shall meet the following requirements for orientation training: [ensure that all newly hired staff members receive orientation upon being hired and complete in all of the following areas within two weeks of his or her date of hire and prior to working without direct supervision by an approved staff person 18 years or older]:</u></p> <ol style="list-style-type: none"> <li><u>1. The center shall ensure that all newly hired staff receive orientation training within two weeks of hire, and ensure that person is not left alone to supervise a child or group of children until orientation training is completed.</u></li> <li><u>2. The center shall ensure that all current staff members review the training topics listed in (4) below each year.</u></li> <li><u>3. The center shall secure and maintain on file each staff member’s signature attesting to the review of the orientation training upon hire and annually.</u></li> <li><u>4. Topics of orientation training shall include all of the following:</u> <ul style="list-style-type: none"> <li><u>Change(1) to (i.) no change in text</u></li> <li><u>Change (2) to (ii.) no change in text</u></li> <li><u>Change (3) to (iii.) no change in text</u></li> <li><u>Change (4) to (iv.) no change in text</u></li> <li><u>Change (5) to (v.) no change in text</u></li> <li><u>Change (6) to (vi.) no change in text</u></li> <li><u>Change (7) to (vii.) no change in text</u></li> <li><u>Change(8) to (viii.)Implementing health practices including medication administration and responding to symptoms of illness, as specified in</u></li> </ul> </li> </ol>	<p>This provision clarifies the requirement that for those newly hired staff members that did not yet complete the orientation training are not left alone to supervise a group of children. Orientation ensures that all staff members receive specific and basic training when providing care for young children at the center.</p> <p>This provision requires that all current staff members review the training topics listed in (4) below. These training topics are essential for current staff to review yearly.</p> <p>This provision requires centers to obtain staff signatures attesting to receiving the orientation training.</p>

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	<p>N.J.A.C. 10:122-7.1 through 7.11[.];</p> <p><u>ix. Implementing safe sleep practices/Sudden Infant Death Syndrome;</u></p> <p><u>x. Preventing Shaken Baby Syndrome and Abusive Head Trauma;</u></p> <p><u>xi. Recognizing and responding to injuries and emergencies including the prevention of and response to emergencies due to food-related allergies and other allergic reactions;</u></p> <p><u>xii. Including children with special needs in the center’s program.</u></p> <p><u>5. Orientation training as specified in (4) above may be included in the required hours of staff development specified in (b) and (c) below.</u></p> <p>(b)The center shall ensure all staff members who work at the center [for at least 20 percent of the center’s weekly operating hours] complete [10] <u>12</u> hours of continuing staff development each year.[, except as specified in (d) below. Each staff member shall complete at least two hours of staff development each year in each of the three following areas:]</p> <p>[1. Child growth and development, including but not limited to:</p> <ul style="list-style-type: none"> <li>i. Understanding the stages of child development;</li> <li>ii. Planning for and providing age appropriate activities;</li> <li>iii. Creating a classroom environment;</li> <li>iv. Including children with special needs in the center’s program; and</li> <li>v. Other Office of Licensing-approved areas;</li> </ul> <p>2. Positive guidance and discipline, including but not limited to:</p> <ul style="list-style-type: none"> <li>i. Using positive methods of guidance and discipline;</li> <li>ii. Promoting positive staff/child interactions;</li> <li>iii. Promoting family involvement and communication with families;</li> <li>iv. Recognizing, reporting and preventing child abuse and neglect; and</li> <li>v. Other Office of Licensing-approved areas; and</li> </ul> <p>3. Health and safety procedures, including but not limited to:</p> <ul style="list-style-type: none"> <li>i. Understanding New Jersey’s child care center licensing regulations;</li> <li>ii. Understanding the nutritional needs of children;</li> <li>iii. Implementing infection control techniques;</li> </ul>	<p>This provision adds additional required topics to the orientation training to comply with new federal requirements.</p> <p>This provision clarifies that the centers to may include the orientation training for the required 12 hours of training.</p>

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	<p>iv. Recognizing and responding to symptoms of illness and disease;                      v. Recognizing and responding to injuries and emergencies;                      vi. Preventing Shaken Baby Syndrome;                      vii. Placing infants in the appropriate sleep position;                      viii. Administering medication and health care procedures; and                      ix. Other Office of Licensing-approved areas.]</p> <p>(c ) Remove completely</p> <p><u>Change (d) to (c )</u></p> <p>(d) [In lieu of the child care staff development specified in (b) above,] The center shall ensure all credentialed staff including the director, head teacher(s), group teacher(s), and program supervisor(s) [shall each] complete 20 hours of staff development each year. [in one or more of the following:] <u>Recommended topics of training for credential staff include:</u></p> <p>[1. Professional development related to the New Jersey Administrators' Credential approved by Professional Impact New Jersey, or the National Administrator Credential offered by the National Child Care Association;                      2. The National Administrator Credential offered by the National Child Care Association or Professional Impact New Jersey-approved professional development related to the New Jersey Infant/Toddler Credential; or                      3. Equivalent staff development in three or more of the following areas:]</p> <p>[i. Planning and evaluation;                      ii. Staff management and professional development;]                      [iii.]</p> <p>    <u>1.</u> Educational, physical activity[, and];                         <u>2.</u> Special needs programming and program development;                      [iv. Fiscal management;]</p>	<p>This provision removes the criteria for staff working 20% or less and requires that all staff complete all areas included in the orientation training yearly and                      Increases the required number of hours for staff development training from 10 hours to 12 hours. Ongoing training is critical to ensure that staff develop and maintain the needed skills when providing care for young children.</p> <p>This provision clarifies and revises the topics of staff development training due to the addition of topics added to orientation training and requiring all staff members to review all topics of the orientation training yearly.</p>

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	[v.] <u>3.</u> Legal issues, including ADA guidelines; and [vi. Facilities management; vii. Family support and community resources; viii. Marketing and public relations; and] [ix.] <u>4.</u> Leadership and advocacy.	
4.9(a)	<u>4. When a person who is not required to complete a CARI background check is working with children at the center, the center shall ensure oversight of that person by another staff member, and ensure that person is not left alone to supervise a child or group of children.</u>	This provision clarifies that when a person who is not required to complete a CARI background check is working with children the person is directly supervised by another staff member that has received the CHRI background check clearance.  Comment: There was no change to the regulation only a clarification.
4.9(b)	(b) 2. Until the results of the CARI background check for a new staff member have been received from the Department, the center shall ensure [that a current staff member is present whenever the new staff member is caring for children at the center.] <u>oversight of that person by another staff member, and ensure that person is not left alone to supervise a child or group of children.</u>	This provision requires that until the center receives the CARI background check results, the staff member may not be left alone to supervise a child or group of children.
4.9(i)	1. The center shall maintain the results of the CARI background checks and related correspondence on file in a confidential manner <u>at the center.</u>	This provision requires centers to maintain the results of the CARI background checks on file in a confidential manner at the center to ensure prompt evaluation during the inspection.
4.10(a)	(a)5. When a person who is not required to complete a CHRI background check is working with children at the center, the center shall ensure oversight of that person by another staff member [.] <u>and ensure that person is not left alone to supervise a child or group of children.</u>	This provision strengthens safety for children by requiring that when a person who is not required to complete a CHRI background check is working with children the person is directly supervised by another staff member that has received the CHRI background check clearance.
4.10(b)	(b) 2. Until [the center receives the results of the CHRI background check from the Department for a new staff member, the center shall ensure that a current staff member is present whenever the new staff member is providing care for children at the center.] <u>the results of the CHRI background check for a new staff member have been received from the Department, the center shall ensure oversight of that person</u>	This provision strengthens safety for children by requiring that until the center receives the CHRI background check results, the staff member may not be left alone to supervise a child or group of children.



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	<u>by another staff member, and ensure that person is not left alone to supervise a child or group of children.</u>	
4.10(c)	1. x. An attempt or conspiracy to commit any of the crimes or offenses listed in (c ) 1i through ix above; [or] xi. <u>Misdemeanor crimes involving children; or</u>	This provision strengthens safety for children by excluding individuals with convictions of crimes against children.
5.1(a)	<u>8. The center shall obtain, and submit to the Office of Licensing, a Life Hazard Use Registration certificate applicable to the center’s licensed capacity and ages served pursuant to the Uniform Fire Safety Act (N.J.A.C. 52:27D-192 et seq.) This document should be posted in a prominent location within the center.</u>	This provision requires centers to post the life/hazard use registration appropriate for the ages and numbers of children served pursuant to the Uniform Fire Safety Act (N.J.A.C. 52:27D-192 et seq.) This enhances safety for children by ensuring the center is registered appropriately.
5.2(a)	<u>21. Ensure all guardrails accessible to children are no more than four inches apart or are otherwise protected to prevent head entrapment.</u>	This provision ensures safety for children by preventing head entrapments.
5.2(b)	6. Centers that provide outdoor space shall maintain <u>all fencing</u> in proper condition. [all fencing or other natural or man-made barriers or enclosures.]	This provision requires fencing for all outdoor play space and removes the option for using natural barriers, which enhances safety for children.
5.2(d)	(d) Heating requirements are as follows: 1. A minimum temperature of 68 degrees Fahrenheit shall be maintained in all [rooms] <u>areas used by children including, but not limited to, classrooms, hallways and bathrooms.</u> 3. The center shall not use portable liquid fuel-burning or wood-burning heating or electric space heaters <u>anywhere in the center, even in rooms that are not approved for children’s use.</u>	This provision adds to the definition of the minimum temperature that the requirement for a minimum temperature includes all areas used by the children, including but not limited to hallways and bathrooms.  This provision enhances physical plant safety clarifies prohibiting the use of space heaters to include in rooms that are not approved for children’s use.
5.2( e)	[(e) Remove text completely] <u>Change(f) to (e) no change in text</u> <u>Change(g) to (f) no change in text</u> <u>Change(h) to (g) no change in text</u> <u>Change(i) to (h) no change in text</u>	This revision moves the requirement that “All fans that are accessible to the children shall have a grille, screen, mesh or other protective covering.” From 5.2e to 5.2(d)5.

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	<p><u>Change(j) to (i) no change in text</u>  <u>Change(k) to (j) no change in text</u>  <u>Change(l) to (k) no change in text</u>  <u>Change(m) to (l) no change in text</u>  <u>Change(n) to (m) no change in text</u>  <u>Change(o) to (n) no change in text</u>  <u>Change(p) to (o) no change in text</u>  <u>Change(q) to (p) no change in text</u>  <u>Change(r) to (q) no change in text</u></p>	
<p>5.2(i)4</p>	<p>4. At the time of the initial application, any renewal application, relocation of an existing licensed center and, in the discretion of the Office of Licensing, any other time, the applicant/facility operator shall certify in writing that the center provides a potable water supply provided by a public community water system.</p> <p>i. <u>If the facility is supplied by a public community water system, the applicant/facility operator shall provide documentation of water testing for lead and copper from all drinking water fountains and at least 50% of all indoor water faucets utilized by the center. If the results reveal elevated levels of lead or copper as defined by NJDEP Bureau of Safe Drinking Water which pose risk of harm to children, the center must: a) immediately discontinue use of all drinking water sources in the building; b) provide bottled water for drinking; c) provide bottled water for food preparation with approval from the local health official; and d) notify parents of children in attendance at the center.</u></p> <p>ii. If the facility or site is not provided a potable water supply by a public community water system, the applicant shall provide potable water sampling results demonstrating compliance with maximum contaminant levels for all contaminants required to be tested pursuant to N.J.A.C. 7:10-5 for public non-transient, non-community (NTNC) water systems, including radiological contaminants, regardless of whether they meet the definition of NTNC systems as defined at N.J.A.C. 7:10-1.3. This sampling shall have been</p>	<p>This provision enhances the safety for children by requiring centers operating on a public community water system to test for lead and copper. Harmful amounts of lead and copper in water can present a potential serious exposure.</p> <p>Comment: Non-public community water systems already test for contaminants including lead and copper as per 10:122.</p>

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	conducted within three years of the date of application submission, except nitrates and coliform, for which the sampling shall have been conducted within 90 days of submitting the application.	
5.2(k)	<u>5. Wading pools that are 24 inches or less and are filled as needed, portable, and do not have a filtration system are prohibited.</u> (N.J.A.C. 8:26-1.3)	This provision prohibits the use of pools that are 24 inches or less and are filled as needed, portable, and do not have a filtration system.
5.2(l)	1.iii. [The] <u>An alternate indoor location that operates during the same operating hours as the center and is within safe walking distance, or a written procedure for obtaining emergency transportation to the designated location;</u>	This provision adds and clarifies that the alternate indoor location operates during the same hours as the center, is within safe walking distance and requires a written procedure for emergency transportation to the designated location.
5.2(l)	1. vii. <u>A diagram showing how the center is to be evacuated in case of emergency from all classrooms and the outdoor play area;</u>	This provision requires centers to prepare an evacuation diagram which includes evacuation from the outdoor play area.
5.2(l)	2. <u>The emergency procedures shall be posted in a prominent location on every floor within the center, unless otherwise directed by the local Office of Emergency Management.</u>	This provision adds clarification to the regulation that alternative measures may be implemented for the center’s emergency procedures if otherwise directed by the local Office of Emergency Management.
5.2(l)	4. <u>The center shall conduct two lockdown drills per year and maintain on file a record of each lockdown drill. The center shall ensure that lockdown drills are conducted during each session provided at the center.</u>	This provision adds additional requirements for emergency evacuation procedures as recommended by the new federal requirements.
5.2(l)	5. <u>Ensure all locking devices, including those used for lockdown procedures:</u> i. <u>Are acceptable for use by the local fire official.</u> ii. <u>Do not pose a risk of harm to the children.</u> iii. <u>All staff shall be trained on the use of these devices.</u>	Many centers and parents want lock down capabilities at centers in response to civil disasters. This provision provides requirements for use of locking devices on classroom doors.
5.2(m)	2. <u>All centers providing care for non-ambulatory infants and toddlers shall have one evacuation crib for every 4 non-ambulatory children by August 6, 2017.</u>	This provision enhances the safety of children by requiring centers to have one evacuation crib for every four non-ambulatory children.
5.2(n)	The center shall conduct fire drills at least once a month, as specified in the NJUFC. The center shall ensure that fire drills are conducted during each session provided at the center <u>and that one fire drill per</u>	This provision adds the requirement for centers to conduct a minimum of one fire drill during naptime.

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	<u>year is conducted during nap time, if applicable.</u>	
5.2(o)	2.The first aid and CPR training shall include a hands-on training component for CPR in addition to any online training coursework. <u>Change (2) to (3) no change in text</u>	This provision adds and clarifies that the first aid and CPR training as defined by a recognized health organization. The training can partially be completed by using online training and a hands-on training component is required for the CPR certification training.
5.2(p)	(p) Play equipment, materials, and furniture for indoor and outdoor use shall be of sturdy and safe construction, non-toxic, [and] free of hazards <u>and used in accordance with the manufacturer’s instructions.</u> <u>Play equipment intended for outdoor use may not be used indoors.</u>	This provision adds and clarifies the requirement that all equipment, including indoor play equipment, shall be used in accordance with the manufacturer’s instructions. Injuries to children frequently occur in active play areas in or outside centers.
5.2(q)	(q)2.At no time shall a center: <u>i. Allow more children in attendance than [the number] the licensed capacity as specified on [its] the license or the Certificate of Life/Safety Approval.</u> <u>ii. Allow more children in attendance than the licensed room capacity.</u> <u>iii. Operate in violation of the written conditions on its license or Certificate of Life/Safety Approval including, but not limited to, capacity or age restrictions for specific classrooms.</u>	This provision adds the requirement for centers to operate within each licensed room capacity and comply with any written restrictions on its license.
5.3(a)	5.Toilet and sink facility requirements are as follows: <u>I/T iii. For classrooms used by children under 2 and ½ years of age, a minimum of one sink shall be located in the classroom for newly constructed centers and expansions after August 6, 2016.</u>	This provision requires a sink in classrooms for centers serving children 2 ½ or younger for newly constructed centers and expansions after August 6, 2016. Sinks must be close to where diapering takes place to prevent the spread of contaminants and disease.
5.3(a)	5. <u>iv. The use of portable sinks is prohibited. Centers shall cease the use of portable sinks by August 6, 2017.</u>	This provision prohibits the use of portable sinks and centers using portable sinks shall cease usage as of August 6, 2017. Neither NJDCA or NJDOH regulate the use of portable sinks as they’re not recognized in their codes.
6.1(b)	(b)2. Children have opportunities to choose materials freely <u>and materials are accessible at all times except during lunch and naptime;</u>	This provision clarifies the regulation to ensure that the children’s materials are accessible. An opportunity for active learning is important and enhances the overall development of young children.  Comment: Some centers do not allow the children to have access to

Citation	Proposed Amendment	Rationale
		the materials and the children do not have times for free choice of the materials.
6.2(f)	<p><b>I/T 2.</b> Centers serving children less than 18 months of age shall provide [i. A] <u>at least four [of the following] types of children's daily activities including but not limited to</u> sensory; language/dramatic play; manipulative; building; large muscle; music; or other comparable activities; and [ii. A] <u>at least four types of supplies and/or equipment for each activity area chosen by the center.</u> [as listed below: (1) Sensory activities: crib mobiles; teething toys; busy boxes; baby mirrors; rattles; melody chimes; squeeze toys; or other comparable supplies or equipment.</p> <p>(2) Language/dramatic play activities: picture books; toy telephones; records; hand puppets; stuffed animals; soft washable dolls; photographs; or other comparable supplies or equipment.</p> <p>(3) Manipulative activities: squeeze and grip toys; boxes; sorting and stacking toys; three and/or four piece wooden inlay puzzles; puzzle blocks; simple threading toys; mobile pull toys; balls; or other comparable supplies or equipment.</p> <p>(4) Building activities: soft lightweight blocks; toy cars, trains and/or boats; figures of animals and people; stacking rings and/or cups; nesting toys; or other comparable supplies or equipment.</p> <p>(5) Large muscle activities: low climbers; slides; riding/rocking toys; foam or soft plastic balls; gym mats; play tunnels; or other comparable supplies or equipment.</p> <p>(6) Music activities: rhythm instruments; record player and records; toys equipped with musical tones; musical mobiles and/or busy boxes; drums, xylophones and/or pianos; or other comparable supplies or equipment.</p> <p>iii. Staff members shall provide periodic activity or learning opportunities to stimulate the five senses of children who are awake and being cared for in cribs, playpens, or other Office of Licensing-approved sleeping equipment.]</p>	This provision deletes the extensive examples of the requirements for daily age appropriate activities. The examples were outdated and this detail was no longer necessary to be included in the manual.
6.2(f)	<u>2.</u>	This provision deletes the requirement to carry non-ambulatory

Citation	Proposed Amendment	Rationale
	<p>[iv.]ii. <u>Staff members</u> [shall carry non-ambulatory infants around the center periodically.] <u>shall ensure infants have supervised tummy time for a minimum of 15 minutes per day.</u></p> <p><u>Change v. to iii. no change in text</u></p>	<p>infants. The new provision requires staff members to provide non-ambulatory children with 15 minutes of supervised tummy time per day. Tummy time prepares infants for the time when they will be able to grow stronger and crawl.</p>
<p>6.2(f)</p>	<p><b>EC 3.</b> Centers serving children 18 months of age and older shall provide[: i.A] <u>at least five [of the following] types of children's daily activities[:]</u> <u>including but not limited to</u> language; science and mathematics; manipulative; large muscle; building; art; music; drama; or other comparable activities; and [ii. A] <u>at least five types of supplies and/or equipment for each daily activity chosen by the center</u> [, as listed below:</p> <p>(1) Language activities: books; flannel board; upper and lower case letters; pictures for discussion; materials for recognition, identification and/or classification; poetry; puppets; audio-visual materials; show and tell items; or other comparable supplies or equipment.</p> <p>(2) Science and math activities: plants and gardening equipment; aquarium with fish and/or other appropriate live animals; water table and supplies; sand table and supplies; cooking supplies; weather chart and/or thermometer; counting equipment; or other comparable supplies or equipment.</p> <p>(3) Manipulative activities: puzzles; pegs and pegboards; lacing boards; table top building toys; stencils; dominoes; pounding bench; lotto games; or other comparable supplies or equipment.</p> <p>(4) Large muscle activities: rocking boat; wheel toys; climbers; slides; balance beam; barrels and/or large cartons; parachute; balls and beanbags; outdoor play equipment; gym mats; or other comparable supplies or equipment.</p> <p>(5) Building activities: unit blocks (minimum of four sizes); transportation toys; farm animals and/or play people; work bench and tools; table top building toys; building logs; or other comparable supplies or equipment.</p> <p>(6) Art activities: crayons; tempera paint, large brushes and newsprint; finger paint and finger paint paper; construction paper in assorted</p>	<p>This provision deletes the extensive examples of the requirements for daily age appropriate activities. The examples were outdated and this detail was deemed no longer needed to be included in the manual.</p>

Citation	Proposed Amendment	Rationale
	<p>colors; paste or glue; blunt scissors; collage materials; non-toxic felt tip markers; easels; clay or playdough; or other comparable supplies or equipment.</p> <p>(7) Music activities: record player and records; piano and/or organ; guitar; rhythm sticks; drums; cymbals and bells; tape recorder; or other comparable supplies or equipment.</p> <p>(8) Dramatic activities: toy dishes; ironing board; telephones; occupational props and/or uniforms; dress-up clothes; housekeeping area (stove, sink, refrigerator); cradle or doll bed; doll carriage and dolls; puppets; grocery store, post office or hospital; or other comparable supplies or equipment.]</p>	
6.3(b)	<p>3.iv. The requirements for bottles are as follows:</p> <p><u>(1)</u>Each child’s bottle(s) shall be [sanitized, including the nipple(s), when the center provides the bottle,] labeled with the child’s name and dated;</p> <p><u>(2)</u> Each child’s bottle(s) shall be sanitized, including the nipple(s), when the center provides the bottle[,,].</p> <p><u>Change (1) to (3) no change in text</u></p> <p><u>Change (2) to (4) no change in text</u></p> <p><u>Change (3) to (5) no change in text</u></p> <p><u>Change (4) to (6) no change in text</u></p>	<p>This provision clarifies that the requirement that the children’s bottles are required to be labeled with the child’s name and date. The requirement was confusing due to the lack of semi-colon or period.</p>
6.4(a)	<p>6.4(a)3. For children over the age of 18 months and under the age of [five] <u>four</u> years, the center shall provide:</p>	<p>The AAP is exploring the possibility of revising the recommended age for naps. The results of some research in this area indicates that for children three years of age and up napping during the day disrupts the child’s night time sleep pattern which may have an impact on the child’s cognitive growth and development.</p> <p>Comment: OOL receives multiple complaints from parents regarding the naptime requirements specific to this criteria.</p>
6.4(a)	<p><u>3. Swaddling of children during rest and sleep is prohibited.</u></p> <p><u>Change 3. To 4. No change in text</u></p>	<p>This provision prohibits the use of swaddling in child care centers. Multiple sources indicate that swaddling in child care centers is not necessary or recommended. There is evidence that swaddling can increase the risk of serious health outcomes, especially in certain</p>

Citation	Proposed Amendment	Rationale
		<p>situations. The risk of sudden infant death is increased if swaddled and placed on the stomach to sleep. There is also an increased risk of developmental dysplasia of the hip.</p> <p>Comment: There was an infant death at a child care center wherein the child was swaddled and placed on the stomach. American Academy of Pediatrics does not recommend swaddling in congregate care facilities.</p>
6.4(b)	<p>1.i. (2) A clean, snugly fitting sheet [or other covering or blanket]; [ii. Remove completely] [iii.]ii. <u>Sleeping equipment shall be free of pillows and soft bedding, including but not limited to bumper pads, when occupied by a sleeping child.</u> [iv.] Stackable cribs shall be prohibited. [Centers currently using stackable cribs shall discontinue their use by August 6, 2014.]</p> <p>2. iv. Stackable cribs shall be prohibited. [Centers currently using stackable cribs shall discontinue their use by August 6, 2014.] <u>v. Sleeping bags are permitted in addition to, not in lieu of, a mat or cot. Centers using sleeping bags without a cot or mat will be required to comply with this regulation by August 6, 2017.</u></p>	<p>This provision prohibits the use of blankets for infants when sleeping enhancing safe sleep practices at child care centers.</p> <p>Comment: There are recommendations from multiple sources that blankets should be kept out of the infant's sleep area.</p>
6.4(i)	<p>(i) Pacifiers shall not be used with straps or other types of attachment devices. The center shall ensure that pacifiers are removed when the children are crawling or walking.</p>	<p>This provision ensures safety measures for children using pacifiers while in care at the center.</p>
6.8(k)	<p><u>(k)The center shall develop and follow a written policy on the use of social media including, but not limited to the use of social networking sites and other websites, and the use of email, text messages, and/or other electronic means of communication with staff and parents.</u> <u>1.The social media policy shall include:</u> <u>i. The types of social media that are used by the center</u></p>	<p>This provision requires the centers to develop and implement a social media policy to protect children’s safety and preserve privacy.</p> <p>Comment: Many child care centers are now using other means of communicating with parents. The parents need to be informed of</p>



Citation	Proposed Amendment	Rationale
	<p><u>ii. the methods and devices the staff will use for parent communication</u>  <u>iii. The guidelines for appropriate conduct by staff members</u>  <u>iv. The guidelines for parents, including but not limited to prohibiting the posting of photographs or videos of any child (other than their own).</u>  <u>2.The center shall distribute a copy of the social media policy to the parent of each enrolled child and secure and maintain on file a record of each parent’s signature attesting to the receipt of the policy.</u>  <u>3. The center shall distribute a copy of the social media policy to every staff member and secure and maintain on file a record of each staff member’s signature attesting to the receipt of the policy.</u>                      Change (k) to (l)</p>	<p>the methods of communication upon enrollment. Additionally, the centers need to develop guidelines for the usage of this communication for staff members and parents. The OOL has received concerns from parents regarding the center’s inappropriate use of photos or inappropriate postings on social media regarding their children. Many corporate centers already have social media policies in effect.</p>
7.3(a)	<p><u>2. For each child not enrolled in a public or private school, upon admission....or its equivalent updated annually, and a special care plan, if applicable. A 30 day grace period is permitted:</u>  <u>i. for children....as permitted by njac....and in accordance with the provisions of njac....</u>  <u>ii.For children who are in foster care or experiencing homelessness as defined by the McKinney-Vento Act</u></p>	<p>This provision allows for a 30 day grace period for children who are in foster care or are experiencing homelessness.                       Comment: CCDBG requirement.</p>
7.5(b)	<p><u>10. Prescribed epi-pens shall be stored in their original box with the child’s name and prescription, and should be accompanied by a special care plan or other documentation from a health care provider.</u>  <u>Additional epi-pens can be stored on site in accordance with the Department of Education’s requirements if applicable.</u></p>	<p>This provision enhances medication administration for young children by clarifying the usage of epi-pens.</p>
7.6(a)	<p>(a) The center shall take immediate necessary action to protect the child from further harm and shall immediately notify the child’s parent(s) [verbally] when one of the following occurs while the child is in the center’s care:                      (e) <u>The center shall develop and follow a written policy for parental notification if a method other than a telephone call is used at the center for parental notification.</u>  <u>1. The center shall give a copy of this policy to the parent of each</u></p>	<p>This provision requires that centers notify parents if using other means of parental notification other than phone calls.</p>

Citation	Proposed Amendment	Rationale
	<p><u>enrolled child.</u>                      2. <u>The center shall secure and maintain on file a record of each parent’s signature attesting to the receipt of this policy.</u></p>	
7.6(a)	<p>2.A child sustains a head <u>or facial</u> injury, <u>including when children bump their head;</u></p>	<p>This provision clarifies the definition of a head injury which includes facial injuries and when children bump their head.</p> <p>Comment: Violations are frequently cited due to a misinterpretation of the definition of a head injury. National reports indicate head injuries may result in concussions which have long term effects.</p>
7.6(b)	<p>(b) The center shall maintain on a file a <u>written</u> record of [the] <u>all</u> incidents and <u>injuries occurring at the center.</u> [specified in (a) above. The incident] <u>These records</u> shall include the following:</p>	<p>This provision requires that centers document all incidents occurring at the center.</p>
7.8	<p>7.8(a)1. The center shall ensure that children <u>over three months of age</u> wash their hands with soap and running water:  <u>v. Immediately after outdoor play</u></p> <p>2. For children under three months of age or for those children over three months of age wherein hand washing with soap and running water may not be developmentally appropriate the center may use an alternate means for hand washing, including but not limited to disposable baby wipes.</p>	<p>This provision requires centers to ensure that the children wash their hands with soap and running water immediately after outdoor play.</p> <p>This provision enhances the safety of infants by permitting centers to use other means to wash the hands for the children under three months of age and for those children over three months of age wherein hand washing with soap and running water may not be developmentally appropriate.</p>
7.10(b)	<p>(b) The director or sponsor/sponsor representative shall report the [occurrence of any injury or illness that results in the admittance to the hospital or the death of a child while under the center’s supervision] <u>following occurrences</u> to the Office of Licensing by the next working day after the center learns of the occurrence <u>and submit documentation to the Office of Licensing within one week of the occurrence of the incident[.]</u>:</p> <p><u>i. The occurrence of an injury or illness while under the center’s supervision that results in a child visiting the emergency room</u>  <u>ii. the occurrence of an injury or illness while under the center’s supervision that results in a child’s admittance to the hospital</u>  <u>iii. the death of a child while under the center’s supervision</u></p>	<p>This provision requires the centers to report the occurrence of any injury if care from an emergency room is required, even if not admitted to the hospital.</p>

Citation	Proposed Amendment	Rationale
7.11(c)	<p><u>(c)The center shall secure and maintain on file a record of each parent’s signature attesting to the receipt of the policy.</u>                      (c ) change to (d)</p>	<p>This provision requires signatures of receipt for the center’s communicable disease policy for staff and parents.</p>
9.3(f)	<p>[(f)] Remove completely                      Change (g) to (f)                      Change (h) to (g)</p>	<p>This provision enhances the transportation safety for children by prohibiting centers from permitting parents to transport children other than their own by use of their personal vehicles for field trips.</p>
9.4(g)	<p>(g)For school-age child care programs, the center may use an autobus under the jurisdiction of the Department of Transportation when chartered for scheduled center field trips, outings or special events, provided that the drive and/or additional adults apply the safety practices, as specified in N.J.A.C. 10:122-9.5(a) [through (e ), (h), and (j) through (m)] <u>through (f), (i), and (k) through (o).</u></p>	<p>This provision removes the option for centers that permit parents to transport children in their personal vehicles.</p> <p>Comment: This provision strengthens safety requirements for centers that transport children. Permitting parents to use their personal vehicles increases the liability for the parents as well as the centers.</p>
9.5(a)	<p><u>(a)Children shall not be transported by staff members and/or parents in private passenger vehicles at any time.</u>                      Change (a) to (b) no change in text                      Change (b) to (c) no change in text                      Change (c) to (d) no change in text                      Change (d) to (e) no change in text                      Change (e) to (f) no change in text                      Change (f) to (g) no change in text                      Change (g) to (h) no change in text                      Change (h) to (i) no change in text                      Change (i) to (j) no change in text                      Change (j) to (k) no change in text                      Change (k) to (l) no change in text                      Change (l) to (m) no change in text                      Change (m) to (n) no change in text</p>	<p>This provision prohibits staff members or parents to transport the children using their private vehicles.</p>
9.5(o)	<p><u>(o)Children shall not remain in any vehicle for more than one hour at any given time.</u></p>	<p>This provision strengthens safety requirements for the transportation of children by establishing a maximum time frame in transit. OOL receives numerous complaints pertaining to extend time frames in transit.</p>

Citation	Proposed Amendment	Rationale
9.7(a)	(a)When the center transports children in a vehicle other than [a private passenger vehicle, as specified in N.J.A.C. 10:122-9.3(f), or] a chartered autobus, as specified in N.J.A.C. 10:122-9.3[(g)] <u>(f)</u> ,the center shall maintain on file:	This provision removes the private passenger vehicle option since it was removed from 9.3(f).
9.7(b)	<p>[(b)]Remove completely</p> <p><u>Change (c) to (b) no change in text</u></p> <p><u>Change (d) to (c) no change in text</u></p> <p><u>Change (e) to (d) no change in text</u></p> <p><u>Change (f) to (e) no change in text</u></p> <p><u>Change (g) to (f) no change in text</u></p> <p><u>Change (h) to (g) no change in text</u></p>	This provision removes the requirement for the center to maintain records for center-authorized drivers using private passenger vehicles. This usage of private passenger vehicles is now prohibited as outlined above in 9.7(a).
9.7(d)	9.7(d) The center shall maintain on file inspection and maintenance records for each vehicle, other than a [private passenger vehicle or] chartered autobus, used by the center to transport children. The center shall:	This revision removes the private passenger vehicle option since it was removed from 9.3(f).
9.8	<p>10:122-9.8 Vehicle staff requirements</p> <p>[EC]</p> <p>[I/T]</p> <p><u>GEN</u></p> <p>[(a)For early childhood programs, the following shall apply:]</p> <p>[1.] <u>(a)</u> When one or more children [who are 2 ½ years of age or older] are being transported, there shall be one adult in addition to the driver who remains in the vehicle when it is in motion, and who remains within sight of the vehicle when it has stopped to accept or discharge children, from the time the first child is picked up until the last child has reached his or her destination.</p> <p>[2. remove completely]</p> <p>[3.] <u>(b)</u> no change to text</p>	<p>This provision strengthens safety requirements for the transportation of children by requiring at least one additional adult at all times for all age groups.</p> <p>Comment: 9.8: Requires at least two staff on all vehicles for early childhood programs and the recommendation is at least two staff for all age groups. Multiple sources recommend higher ratios on school vehicles due to the potential hazard in transporting children. OOL receives numerous complaints pertaining to the oversight of children during transport.</p>
9.8	9.8 <u>(c) The center shall have a written policy and procedure to ensure the safe transportation of children, including but not limited to, ensuring children are secured in appropriate restraints. All drivers and additional adults as referred to in (a) and (b) above must be trained on this policy prior to starting their position.</u>	This provision requires a written policy and procedure for transportation. The center must ensure the bus driver and aides receive formal training on the policy and procedures prior to serving in their role as a bus driver or aide. Procedures shall include but are not limited to ensure children are secured in appropriate restraints.

