



## State of New Jersey

DEPARTMENT OF CHILDREN AND FAMILIES  
OFFICE OF LICENSING  
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CHRIS CHRISTIE  
*Governor*

KIM GUADAGNO  
*Lt. Governor*

ALLISON BLAKE, PH.D., L.S.W.  
*Commissioner*

September 14, 2017

To Members of the Child Care Community:

We are aware of the need for clarification regarding recent changes to the Manual of Requirements for Child Care Centers, N.J.A.C. 3A:52, specifically the rules pertaining to nap times. This letter is intended to provide official guidance on the application of those new rules, and hopefully assist in licensed centers achieving compliance.

Under the newly adopted NJAC 3A:52-6.4, children under four years of age are *required* to be given a daily rest or sleep period if they attend the center for four or more consecutive hours. This period must be at least 30 minutes long, after which time, children who no longer require additional rest or sleep must be given an alternative, quiet activity to engage in while other children continue the rest or sleep period.

The rest or sleep period is not *required* for children four years of age or older, but neither is the inclusion of an age-appropriate rest or sleep period during the day for these children prohibited. To stress the point, N.J.A.C. 3A:52-6.1 requires that activities be age and developmentally appropriate for the children served, and this standard must be adhered to when scheduling rest and nap periods. Four and five year old children may be offered opportunities to rest or sleep, and such periods may be included in the planned activities for those children, so long as those periods are age and developmentally appropriate.

It is the interpretation of the Office of Licensing that, unless required by the unique needs of a particular child, (1) prolonged nap or rest periods for four and five year olds are not age or developmentally appropriate, and (2) that rest or nap periods of any length are not age or developmentally appropriate for children older than five.

In determining the appropriateness of rest or nap periods for four and five year olds, the Office of Licensing expects that, at a minimum, those rest or nap periods will not exceed those permitted under the rule at NJAC 3A:52-6.4 for children aged 18 months to 4 years. A four or five year old who has not slept and does not express interest in sleeping after 30 minutes cannot be compelled to continue resting, laying on a cot, or otherwise engaging in sedentary activity.

Licensed centers may presume that standards on the appropriateness or duration of rest and sleep periods for four and five year old children that are imposed by Head Start, the Department of Education, other state or federal bodies with authority over a program, or accreditation agencies are compliant with licensing rules, unless separate written guidance from the Office of Licensing indicates otherwise.

Questions on this guidance or the regulations governing licensed child care in New Jersey may be addressed to the Office of Licensing at the afore noted address or at [dcf\\_ool@dcf.state.nj.us](mailto:dcf_ool@dcf.state.nj.us).

Sincerely,

A handwritten signature in black ink that reads "Antionett Mahan". The signature is written in a cursive style with a large initial "A".

Antionett Mahan, Director  
Child Care and Youth Residential Licensing

c: Brian C. Ross, Esq.  
Assistant Commissioner for Legal, Regulatory and Legislative Affairs  
New Jersey Department of Children and Families