



Frequently Asked Questions on Executive Order #110 and Emergency Child Care Centers

General Questions

1. Did the governor order all child care centers to close?

No. The governor's order allows family day care homes serving five children or fewer to remain open, as well as child care centers approved to provide child care to emergency workers by the Commissioner of Children and Families. The order also does not apply to centers operating on federal property, such as those located on military installations, and does not suspend programs that are funded or licensed by the Department of Children and Families, the Department of Health, the Department of Human Services, or the Department of Education to provide specialized day care to youth with physical, intellectual, or developmental disabilities.

2. What centers are covered by this order? Is it only licensed centers?

The executive order applies to ALL child care centers in the state, including those that are normally exempt from licensing requirements. Child care centers covered in Executive Order #110 include school-operated programs, drop-in programs, day camps, religious education programs, and licensed centers. Executive Order #110 does not apply to Family Child Care providers, who care for five or fewer youth in their home and does not include programs funded or licensed by the Departments of Children and Families, Health, Human Services, or Education to provide specialized day care to youth with physical, intellectual, or developmental disabilities.

3. Who is considered an "essential person" under the Executive Order?

The list includes, but is not limited to:

- Health care workers, including staff working in health care facilities and in community-based services including home health and behavioral health;
- Law enforcement personnel, fire and emergency services personnel, and staff at correctional facilities;

- Individuals employed at operating child care centers as of April 1, 2020;
- Staff working for entities that provide essential social services, including, but not limited to, group home and shelter staff;
- Essential government employees who are unable to work from home, including child protection services workers, child welfare workers, foster care workers, unemployment compensation processing staff, and public health employees; and
- Certain critical workers, as defined by the Commissioner of DCF, at essential retail businesses, as defined in Executive Order No. 107 (2020) and subsequent Administrative Orders.

The Commissioner of Children and Families, in consultation with the State Director of Emergency Management, shall have the discretion to make changes to this list based on the demonstrated need and capacity of child care centers.

4. Does the Executive Order allow child care programs to operate in a school facility?

Yes. For any county where the emergency child care centers do not meet the demand for essential persons, the State Director of Emergency Management shall direct that the county identify schools that are capable of serving as emergency child care sites for children ages 0-13. Under these circumstances, identified schools are authorized to provide child care and/or facilitate access to remote instruction for children of essential persons enrolled in schools within that county. School-based child care services may be delivered by a third-party provider.

Additional information will be provided in the coming days.

Provider Questions

5. I am a child care center owner or operator, and I would like to stay open to serve essential personnel. What do I need to do?

Complete the form at https://www.nj.gov/dcf/coronavirus_licensedchildcare.html to certify your capacity and commitment to provide services exclusively to children of essential personnel during the school closure period. The certification must be submitted to the Commissioner of Children and Families no later than

Friday, March 27, 2020. The child care center must demonstrate that it will provide child care services exclusively to “essential persons” during the school closure period and must further demonstrate that it will follow all applicable emergency child care standards. If those criteria are satisfied, the Commissioner of Children and Families shall authorize the child care center to remain open or resume operations as an “emergency child care center.”

6. What if I do not submit the certification form?

Pursuant to the Executive Order #110, centers which do not submit the certification form will be closed on April 1, 2020.

7. If approved to continue operating, can my center only serve children of essential personnel?

Centers will be approved to continue operating for the sole purpose of providing care to the children of essential personnel.

8. Are there special rules I need to follow if I am allowed to continue operating?

Yes. All centers must adhere to the public health guidance issued by DCF, which covers special sanitation and safety procedures during the public health emergency. Additional rules may be imposed by the Commissioner of Children and Families at any time.

9. I own or operate a child care center that ceased operation in March of 2020, but before Executive Order #110 was issued. I would like to resume operating to serve children of essential personnel. Can I do that?

Yes. Submit the certification form available at https://www.nj.gov/dcf/coronavirus_licensedchildcare.html by March 27, 2020. Centers that ceased operation before March 1, 2020 cannot commence operating again until approved to do so.

10. I am a child care owner or operator, and interested in providing continuing care for the children of essential personnel. Unfortunately, due to the current circumstances, I am experiencing staff shortages. Do I have options to help fill vacant child care positions?

DCF has authorized providers to hire displaced workers from other child care centers without the need to conduct new background checks. Documentation from the previous employer should be retained as evidence of those checks having been completed.

DCF has also, for the duration of the public emergency, provided more flexibility in personnel qualifications, credentialing, and training.

Parent/Guardian Questions

11. I am an “essential person” and I have unmet child care needs. Where can I find information on my options?

Parents and guardians in need of care can contact the Child Care Resource and Referral Agency in their county. CCR&Rs will have the most up to date information on available care options. For CCR&R contact information, visit <https://www.childcarenj.gov/Parents/CCRR> or call the Child Care Helpline at 1-800-332-9227.

12. I am a parent/guardian who received subsidized child care at a center that has now closed. How do I transfer that benefit to a new center?

All questions on child care subsidies should be directed to the appropriate CCR&R. For contact information, see here: <https://www.childcarenj.gov/Parents/CCRR>.

13. I am an “essential person” and I have unmet child care needs. Where can I find information about the cost of child care under Executive Order #110?

The cost of care will vary based on the program. State support may be available. CCR&Rs and individual programs can provide information on their associated costs. To find your local CCR&R, see the listing here: <https://www.childcarenj.gov/Parents/CCRR>

14. I am aware of a child care center that continues to operate in violation of the executive order. What should I do?

Residents may report violations by visiting <https://covid19.nj.gov/violation> or by calling 211.