

ASSEMBLY WOMEN AND CHILDREN COMMITTEE

STATEMENT TO

[Second Reprint]

SENATE, No. 3330

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 16, 2019

The Assembly Women and Children Committee reports favorably and with committee amendments Assembly Bill No. 3330 (2R).

As amended by the committee, this bill would require the Commissioner of Children and Families, in consultation with the Commissioner of Education, shall establish a five-year School District Child Care Services Pilot Program to study the impact and effect of community providers operating in public school facilities for the purpose of providing child care services for children younger than school age for less than 24 hours a day.

Notwithstanding the provisions of N.J.S.18A:20-34 or any other section of law to the contrary, the bill, as amended by the committee, provides that under the pilot program, the commissioner would designate 15 community providers to operate in a public school facility to provide child care services. The 15 designees would include all community providers operating in a public school facility on the effective date of the bill. Under the bill's provisions, a community provider means a for-profit child care center, a nonprofit child care center, or a local government unit.

The committee amended the bill to mandate that a community provider operating in a public school facility under the pilot program would be licensed under the "Child Care Center Licensing Act," P.L.1983, c.492 (C.30:5B-1 et seq.).

The bill provides that preference for the child care services would be required to be given to children who reside within the school district and to children of persons employed by the district, whether the employee resides within or outside the district. If available space permits, the district may provide the child care services to any child who resides outside the district.

The committee amended the bill to require that a public school facility charge rent to a community provider operating in facility under the pilot program. The rent amounts charged would be within the range of rent charged to other licensed child care centers located within the county in which the school district is located. The bill, as amended by the committee, also provides that the tuition amount

charged for the child care services would be within the range of tuition amounts charged for such services by other licensed child care centers located within the county in which the school district is located.

The bill stipulates that any revenue raised by a board of education through the provision of the child care services that exceeds the amount required to provide the services, is required to be used by the board to support the general fund budget of the school district.

A school nurse providing nursing services to the elementary, middle, or high school students in the school district in which child care services are provided pursuant to the pilot program would not be responsible for the provision of nursing services to children receiving child care services under the pilot program, prior to, during, or after school hours.

In the event of an emergency, a school nurse would not be held liable for any good faith act or omission while providing nursing services to children receiving child care services from a community provider participating in the pilot program or to the employees of the community provider. Good faith would not include willful misconduct, gross negligence, or recklessness.

The committee amended the bill to require that six months prior to the conclusion of the pilot program, the commissioner would submit a report to the Governor and to the Legislature.

The report would contain information on: any cost savings realized by the parents or guardians of children receiving child care services from a community provider participating in the pilot program as compared to the costs of attendance at child care centers in the same geographic area; the revenue generated for school districts whose facilities are utilized by a community provider participating in the pilot program; and other factors deemed appropriate by the commissioner for evaluating the impact and effect of community providers operating in public school facilities.

The bill was amended by the committee to stipulate that the pilot program would expire six months after the commissioner submits the report to the Governor and the Legislature.

As reported by the committee, Senate Bill No. 3330 (2R) is identical to Assembly Bill No. 5066 which was also reported by the committee on this date.

COMMITTEE AMENDMENTS

The committee amended the bill to:

- require the Commissioner of Children and Families, in consultation with the Commissioner of Education, establish a five-year School District Child Care Services Pilot Program to study the impact and effect of community providers operating in public school facilities for the purpose of providing child care services for children younger than school age for less than 24 hours a day;

- provide that under the pilot program, the commissioner would designate 15 community providers to operate in a public school facility to provide child care services. The 15 designees would include all community providers operating in a public school facility on the effective date of the bill;
- define community provider to mean a for-profit child care center, a nonprofit child care center, or a local government unit;
- mandate that a community provider operating in a public school facility under the pilot program would be licensed under the "Child Care Center Licensing Act," P.L.1983, c.492 (C.30:5B-1 et seq.);
- stipulate that preference for the child care services would be given to children who reside within the school district and to children of persons employed by the district, whether the employee resides within or outside the district, and if available space permits, the district may provide the child care services to any child who resides outside the district;
- require that a public school facility charge rent to a community provider operating in facility under the pilot program that would be within the range of rent charged to other licensed child care centers located within the county in which the school district is located;
- provide that the tuition amount charged for the child care services would be within the range of tuition amounts charged for such services by other licensed child care centers located within the county in which the school district is located;
- stipulate that any revenue raised by a board of education through the provision of the child care services that exceeds the amount required to provide the services, is required to be used by the board to support the general fund budget of the school district;
- mandate that a school nurse providing nursing services to the elementary, middle, or high school students in the school district in which child care services are provided pursuant to the pilot program, would not be responsible for the provision of nursing services to children receiving child care services under the pilot program, prior to, during, or after school hours;
- provide that a school nurse would not be held liable for any good faith act or omission while providing nursing services to children receiving child care services from a community provider participating in the pilot program or to the employees of the community provider, and that good faith would not include willful misconduct, gross negligence, or recklessness;
- require that six months prior to the conclusion of the pilot program, the commissioner would submit a report to the Governor and to the Legislature that would contain information on: any cost savings realized by the parents or guardians of children receiving child care services from a community provider participating in the pilot program as compared to the costs of attendance at child care centers in the same geographic area; the revenue generated for school districts whose

facilities are utilized by a community provider participating in the pilot program; and other factors deemed appropriate by the commissioner for evaluating the impact and effect of community providers operating in public school facilities; and

- stipulate that the pilot program would expire six months after the commissioner submits the report to the Governor and the Legislature.