

SENATE, No. 3375

STATE OF NEW JERSEY
220th LEGISLATURE

INTRODUCED DECEMBER 5, 2022

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)

Co-Sponsored by:
Senator Singer

SYNOPSIS

Prohibits DHS from deeming certain teachers and school employees ineligible for child care subsidies due to number of hours worked when school is not in session for students.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 12/5/2022)

1 AN ACT concerning criteria for eligibility of subsidized child care
2 services and amending P.L.1993, c.46.

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4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

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7 1. Section 2 of P.L.1993, c.46 (C.30:5B-31) is amended to read
8 as follows:

9 2. a. The Commissioner of Human Services is authorized to
10 establish criteria for determining financial and programmatic
11 eligibility for child care services subsidized through State and
12 federal funding sources, including provisions for the submission of
13 proof of income and resources, and such other documentation as
14 may be necessary to establish programmatic eligibility.

15 The criteria established by the commissioner pursuant to this
16 subsection shall provide that an applicant or participant who is a
17 teacher or other school employee shall not be determined ineligible
18 for subsidies due to the number of hours worked during weeks that
19 fall outside of the school year. A teacher or other school employee
20 who qualifies for subsidies under this paragraph shall not be
21 required to report to the Department of Human Services changes in
22 the number of hours worked during weeks that fall outside of the
23 school year, but shall be required to participate in any
24 redetermination process required by the commissioner of all
25 participants. As used in this paragraph, "school year" means the
26 part of the year in which a school or school district is in session for
27 students.

28 b. The commissioner is authorized to establish resource limits
29 and a sliding fee scale applicable to participants based on income
30 guidelines for all families eligible for subsidized child care services.
31 In setting such fees, the commissioner shall give consideration to
32 maximizing federal funding and to effectively utilizing all State and
33 federal funding sources available for the purpose of subsidizing
34 child care services in New Jersey.

35 c. The commissioner shall adopt such rules and regulations
36 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
37 (C.52:14B-1 et seq.) as are necessary to carry out the purposes of
38 this act.

39 (cf: P.L.1993, c.46, s.2)

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41 2. This act shall take effect on the first day of the fourth month
42 next following the date of enactment, but the Commissioner of
43 Human Services may take such anticipatory administrative action in
44 advance thereof as may be necessary for the implementation of this
45 act.

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

STATEMENT

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This bill prohibits the Department of Human Services (DHS) from deeming certain teachers and school employees ineligible for child care subsidies due to number of hours worked when school is not in session for students. The Division of Family Development in the DHS administers the State’s child care subsidy program, which provides low-and moderate-income working parents with subsidies for child care, including preschool instruction, after-school programs for children up to age 13, and care for children and teens with special needs. In order to be eligible for the program, a parent must be a New Jersey resident, work a minimum of 30 hours per week or be enrolled in a school or training program for a minimum of 20 hours, and meet certain income requirements.

This eligibility criteria regarding number of weekly hours worked is challenging for teachers and school employees, who are otherwise eligible for subsidies, but who are not employed 30 hours or more a week during certain times of the year when schools are not in session for students. Currently, a teacher or other school employee, deemed eligible for subsidies initially, may be determined ineligible during the redetermination process due to non-compliance with the weekly work requirement.

This bill mandates that an applicant or participant in the State’s child care subsidy program who is a teacher or other school employee is not to be determined ineligible for subsidies due to number of hours worked during weeks that fall outside of the school year. As used in the bill, “school year” means the part of the year in which a school or school district is in session for students.

Moreover, a teacher or other school employee who qualifies for subsidies under the bill are not required to report to the DHS changes in the number of hours worked during weeks that fall outside of the school year, but are required to participate in any redetermination process required by the commissioner of all participants.