



info@njbia.org  
609-393-7707  
10 W Lafayette St,  
Trenton, NJ 08608  
njbia.org

    

**Michele N. Siekerka, Esq.**  
President and CEO

**Christopher Emigholz**  
Chief Government  
Affairs Officer

**Raymond Cantor**  
Deputy Chief Government  
Affairs Officer

**Althea Ford**  
Vice President

**Jack Ramirez**  
Economic Policy Research  
Analyst

To: Joseph Pargola, Director, Office of Policy and Regulatory Development, NJ  
Department of Children and Families

From: Althea D. Ford, NJBIA Vice President of Government Affairs

Date: September 5, 2025

RE: PRN 2025-088: DCF Rule Proposal: Manual of Requirements for Child  
Care Centers

---

On behalf of our member companies that make NJBIA the largest, most impactful statewide association representing all job creators, I submit the following comments regarding the Department of Children and Families' (Department) proposed regulations regarding childcare centers (PRN 2025-088).

At a time when industries are seeking to attract and retain employees and workforce shortages abound, it is vital that the childcare system is fortified, with a full complement of services to offer families and youth of all ages. The Department's proposed regulations compound the adverse effects of the current iteration of state-funded preschool to an already fragile childcare system and have the potential to create more harm than good.

NJBIA recommends the following amendments to ensure that childcare providers are given a better chance to be financially viable, operate effectively, and serve the wide array of New Jersey families that rely on their existence every day to literally show up to work:

1. Expressly state that for childcare centers licensed on or before six months after the effective date, the 42 sq. Ft.-per-child requirement only applies to state preschool classrooms—not to all classrooms within the building. Increasing the space requirement for all classrooms will reduce facility capacity for the other children that may be served by the facility – infants, toddlers and school-age children.
2. Clarify that capital improvements under \$350,000 be treated as minor renovations and do not compromise a facility's grandfathered status or reset their initial license date, making them subject to the 42 sq. ft. requirement.

3. Grandfather centers with issued permits or executed contracts before the effective date to continue under the 35 sq. ft. requirement for non-preschool classrooms, with the 42 sq. ft. requirement applying only to preschool classrooms. It is extremely costly in time and money to undergo the permitting process in New Jersey. Creating additional barriers for facilities further harms these job creators from establishing their businesses and delays their ability to operate and serve New Jersey families.

A robust and diverse childcare system, inclusive of an early childhood education system for infant and toddlers and a care infrastructure for school aged children, i.e., before/after care programs, summer camps, etc. is vital for our state's economy. Childcare providers that cater to these youths offer a vital service to working parents and families with young children, ensuring access to quality and reliable care so that working parents can literally show up for work every day and continue to contribute to the state's economic growth.

Childcare providers are also businesses, many of which are small and minority- and woman-owned, that contribute significantly to our state's economy and local tax base.

It is imperative that barriers to the operation of these vital facilities are not created. Through the adoption of these amendments, the Department can demonstrate that it views the licensed childcare industry as a partner in the effort to increase access to care for New Jersey families.

Thank you for taking our comments into consideration. If you have any questions, I can be reached at [aford@njbja.org](mailto:aford@njbja.org).