

January 31, 2023

BECR MEMO: 2023-01

To: Licensed Family Child Care Centers

From: Michelle Evans, Director  
Bureau of Early Care Regulation

RE: Revisions to DCF 250 – Licensing Rules for Family Child Care Centers

The department is revising child care licensing rules that will go into effect on March 1, 2023. The primary purpose of the rule revisions was to update rules relating to school-age only programs. While revising those rules, the department decided to look at all licensing rules to determine where revisions were needed.

### **Summary of Changes for DCF 250 – Licensing Rules for Family Child Care Centers**

This memo is a summary of rule changes and does not include every repeal, revision, or addition to DCF 250. This memo should not be used as a substitute for a thorough review of the revised licensing rules.

#### **Staff**

1. Child abuse and neglect training has been moved from the Reporting Child Abuse or Neglect section to Qualifications of Staff section.
2. A Program Aide has been added as a new position; Program Aides are not counted in staff-to-child ratios.

#### **Radon Testing and Mitigation**

1. Each center shall be tested for radon gas levels. Centers located in a residence are required to test every 2 years; centers located in a commercial building are required to test every 5 years.
2. Centers licensed prior to these rules going into effect have 6 months after the effective date of the rules to test for radon and submit a copy of the test results to the department (i.e., licensees have until September 1, 2023 to test for radon and submit those results to the department).
3. If radon levels are above the standard set in the rules, licensees must notify all parents of children in care and have a radon mitigation system installed within 12 months from the date of the test.

#### **Private Well Water Testing and Mitigation**

1. Centers must continue to test annually for bacteria (total coliform and Escherichia coli) in a private well. If results detect bacteria, the well water must be appropriately disinfected or treated.
2. Centers must test the well water for nitrates, regardless of the ages of children served. If nitrate levels higher than allowed, an alternative source of water shall be used until levels are below the allowed amount.

- Centers shall test well water tested for lead every 5 years. If the test results indicate levels higher than allowed, an alternative source of water shall be used until action is taken to reduce lead levels to below the allowed amount.

### **Other Rule Changes**

- If the licensee resides in a state other than Wisconsin, they must designate a Wisconsin resident who is responsible on their behalf to ensure compliance with all licensing requirements.
- Unexpected closures lasting more than 2 weeks must be reported to the department within 24 hours after the center has been closed for a 2-week period.
- Providers are not required to use DCF forms for enrollment or health history information but must still include the required information listed in the rules.
- Time-out rules have been clarified and reorganized.
- An audio monitoring device (baby monitor) shall be used for all rooms in which an infant is placed to sleep.
- A person may not be issued a license to operate more than 2 family child care centers unless the license for each center was issued prior to March 1, 2023.

### **Trainings**

The department will be offering in-person and virtual trainings for child care providers to review and discuss new rules. The department has also created an interactive online training for providers to review in lieu of or in addition to attending a live training. Each region will be hosting trainings for providers between February 20 – March 23. Information regarding the dates, times, locations, and rule groups for each training event can be located on the department's website at: <https://dcf.wisconsin.gov/childcare/ccadminrule>, or you may contact your regional licensing office.

Rule revisions will also be covered in a high-level overview during Tuesday Talks with DECE on March 21, 2023 at 1:30 pm. More information can be found at: <https://dcf.wisconsin.gov/childcare/tuesday-talks>.

### **Additional Information**

The department is working on updates to licensing forms, publications, and webpages to reflect changes in the rules. Please be sure to use the most recent version of each form or publication available on the department's website located at [dcf.wisconsin.gov/cclicensing/ccformspubs](https://dcf.wisconsin.gov/cclicensing/ccformspubs).

The final rule changes are available on the department's website at: <https://dcf.wisconsin.gov/childcare/ccadminrule>. Licensing rule manuals and commentary manuals will be available on or about March 1, 2023.

The department will **not** be mailing printed rule books to providers. Rule books will be available in an electronic format online. If you would like to obtain a print copy, you may purchase one by

filling out the [Instructions for Obtaining Child Care Licensing Rule Books](#) or by contacting the Northern Regional Office at (715) 361-7700.

If you have any questions or require assistance accessing information or forms on the DCF website, please contact your regional licensing office. Licensing contact information can be found at the following webpage: <https://dcf.wisconsin.gov/cclicensing/contacts>.

Thank you for the important role you play in the lives of children and families across Wisconsin.