

Department of Children and Families
Rule Report for Legislative Review

School-Age Child Care Programs and Other Child Care Licensing Updates

DCF 250, 251, and 252

CR 21-100

Basis and Purpose of the Proposed Rules

The primary purpose of the proposed rules is to better reflect the needs of providers and children in school-age child care programs by providing exceptions and alternate or additional requirements for school-age child care programs that are, or are in, group child care centers. The proposed rules also correct unintended consequences of previous rule revisions, update rules based on current industry standards, and clarify the rules.

Public Hearing Summary and Department Responses

A public hearing was held via Zoom on January 5, 2022. A summary of the comments received and the department's responses is attached.

Department Response to Legislative Council Rules Clearinghouse Recommendations

All Legislative Council Clearinghouse recommendations were accepted or rendered moot by revisions, except the following:

Comment 4. c.: The department clarified s. DCF 251.095 (5m) (a) 7. Section DCF 251.095 (5m) (a) 8. does not need clarification. The exemption applies to the entire paragraph unless specified otherwise.

Comment 5. y.: Section DCF 251.095 (1m) already specifies the applicability criteria for the entire section. Including a cross-reference to sub. (1m) in s. DCF 251.095 (4m) (intro.) would make sub. (4m) (intro.) unnecessarily complex.

Changes to Analysis Prepared under Section 227.14 (2), Stats.

The analysis was revised to include changes made in response to public hearing comments and recommendations by the Legislative Council Rules Clearinghouse. The anticipated effective date of the proposed rules has been changed to March 1, 2023, due to automation timeframes.

Final Regulatory Flexibility Analysis

The proposed rules affect small businesses as defined in s. 227.114 (1), Stats., but will have minimal effect on these businesses.

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