

Your Child Care – Is it Legal?

Entrusting the care of your child to another person is an important decision. Take time before you choose a child care program to make sure that it is legal care. Here is information that will help you determine whether your child care center must be licensed.

STATE LAW – *Chapter 48.65, WI Statutes*

No person may for compensation provide care and supervision for four or more children under the age of seven for less than 24 hours a day unless that person obtains a license to operate a child care center from the Department of Children and Families.

WHEN THIS LAW APPLIES

The law applies when there are four or more children under the age of seven at any one time *and*.

- The care takes place outside the child's home
- The caregiver is a non-guardian
- The parents are off the premises
- The caregiver is paid or reimbursed for services
- The child care is less than 24 hours per day

WHEN THIS LAW DOES NOT APPLY

A license is not needed when:

- The care is given in the child's home
- The caregiver is a parent, guardian, grandparent, great grandparent, stepparent, brother, sister, first cousin, nephew, niece, uncle, or aunt of a child, whether by blood, marriage, or legal adoption
- The parents are on the premises for shopping, recreation or other non-work activities
- Child care is sponsored by a public or private school
- Supervision is for occasional activities such as classes, clubs or sports activities
- Care is seasonal, such as vacation bible schools and holiday child care programs
- A county, city, village, town, school district or library provides recreational or social programs

NO REGULATIONS APPLY TO

- Anyone caring for one to three children in the provider's own home (certification is a voluntary form of regulation but is not required to care for three or fewer children)
- Babysitters or nannies caring for children in the child's home
- A babysitter who is a close relative or guardian
- Groups of school-age children, all of whom are age seven or older.

The Department of Children and Families is an equal opportunity employer and service provider. If you have a disability and need to access services, receive information in an alternate format, or need information translated to another language, please contact the Bureau of Early Care Regulation at dcfclicreg@wisconsin.gov or (608) 421-7550. Individuals who are deaf, hard of hearing, deaf-blind or speech disabled can use the free Wisconsin Relay Service (WRS) – 711 to contact the department.

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LICENSED CHILD CARE

- Day camps for children – Four or more children three years of age and older in a seasonal program oriented to the out-of-doors
- Family child care centers – Four to eight children
- Group child care centers – Nine or more children
- Public school operated programs receiving or eligible to receive Wisconsin Shares are monitored annually by DCF for compliance with a subset of the group child care center rules.

Contact: Regional Licensing Offices

Northeastern Region, Green Bay (920) 785-7811

Northern Region, Rhinelander (715) 361-7700

Southeastern Region, Waukesha (262) 446-7800

Southern Region, Madison (608) 422-6765

Western Region, Eau Claire (715) 930-1148

CERTIFIED CHILD CARE

Child care providers who are not required to be licensed may choose to be certified. Certification is a type of regulation with fewer standards and less training than that required of licensed providers. Certified child care providers may care for up to three unrelated children. An additional three children may be cared for in some cases. Certification is administered by county or tribal agencies.

Contact: County / Tribal Child Care Certifiers

<https://dcf.wisconsin.gov/files/ccregulation/cccertification/certifiers.pdf>

MORE INFORMATION FOR PARENTS ON CHILD CARE

The Department of Children and Families offers a child care search website <https://childcarefinder.wisconsin.gov> allowing the public to search for regulated child care programs. The department's child care search feature allows a person to see a program's YoungStar quality rating and compliance history.

Local Child Care Resource and Referral (CCR&R) agencies are also able to assist parents in locating child care arrangements in their community.

Contact: CCR&R / Supporting Families Together Association (SFTA)

Phone: 1-888-713-KIDS (5437)

Email: info@supportingfamiliesstogether.org

Website: <http://www.supportingfamiliesstogether.org>



Wisconsin Department of
Children and Families

Division of Early Care and Education
Bureau of Early Care Regulation
<https://dcf.wisconsin.gov/>