

**DCF 251.05 Staffing.****(1) RESPONSIBILITIES AND QUALIFICATIONS OF STAFF.**

(a) *Competency.* A child care worker, including the center administrator, center director, child care teachers, assistant teachers, and volunteers counted in the staff to child ratio shall be physically, mentally and emotionally able to provide responsible care for all children including children with disabilities.

*Exceptions will not be granted for staff who do not meet entry-level training qualifications.*

(b) *Shaken baby syndrome prevention training.* Except for a volunteer who is not counted in staff-to-child ratios, each child care worker including the administrator, center director, teachers, assistant teachers, and substitutes who provide care and supervision to children under 5 years of age shall receive department-approved training in shaken baby syndrome and impacted babies and appropriate ways to manage crying, fussing or distraught children. The training shall be completed by one of the following methods:

1. Complete the department-approved, in-person training on shaken baby syndrome prevention and impacted babies before the date on which the child care worker begins to work with children under age 5 years.

2. View a department-approved video or complete a department-approved, web-based course on shaken baby syndrome prevention before the date on which the child care worker begins to work with children under age 5 years and complete a department-approved, in-person training within 6 months of beginning to work with children under age 5.

**Note:** Department-approved training in shaken baby syndrome prevention is included in the department-approved non-credit courses called *Introduction to the Child Care Profession* and *Fundamentals of Infant and Toddler*, if the course was taken after 7/1/05. Information on department-approved training in shaken baby syndrome is available from the Child Care Information Center at 800-362-7353.

(c) *Cardiopulmonary resuscitation training.* All employees in regular contact with children shall obtain and maintain a current certificate of completion for infant and child cardiopulmonary resuscitation and automated external defibrillator use from an agency approved by the department within 6 months after beginning to work with children. Volunteers included in determining staff-to-child ratios shall obtain a certificate of completion in infant and child cardiopulmonary resuscitation after volunteering for 240 hours. The time spent obtaining or renewing cardiopulmonary resuscitation training may be counted towards the required continuing education hours.

*Substitutes and volunteers counted in staff-to-child ratios are not required to have CPR training until they have worked in a center for 240 hours.*

*All staff (employees) in regular contact with children in care are required to have CPR training. For example, if a cook, maintenance person or administrative assistant has regular contact with children, then that cook, maintenance person or administrative assistant would need CPR training. Regular contact means that the person comes into contact with children on a regular basis, even if that contact is in a classroom supervised by teaching staff. Student teachers and volunteers who are not counted in the staff-to-child ratios are not considered staff and do not need to have CPR training.*

*The Department of Health Services, Bureau of Emergency Medical Services (BEMS) approves agencies to offer the CPR with Automated External Defibrillator (AED) training as required by the statutes. A list of currently approved agencies is available on the BEMS website [http://dhs.wisconsin.gov/ems/License\\_certification/CPR.htm](http://dhs.wisconsin.gov/ems/License_certification/CPR.htm). The training must result in a certificate of completion. If the certificate of completion does not have a date specifying the length of time for which it is valid, the CPR training must be renewed every year.*

*If the center does not serve infants, the CPR training can be child/adult CPR only.*

**(d) Administrator.**

1. The licensee may act as administrator of a group child care center. If the licensee does not act as administrator, the licensee shall designate a person or persons to be the administrator or administrators of the center. The administrator shall be responsible for the center's management, including personnel, finance, physical plant and the day to day operation of the center.

**251.05(1)(d)1. continued**

*One person could fill more than one position (such as administrator and center director) provided that person meets the qualifications for each position and all applicable rules.*

*If a center wishes to have two persons filling the position of administrator, each with training in only one component (business or Early Childhood), an exception may be considered based on their plan as to how they will make decisions. Job descriptions should reflect this situation.*

*The Child Care Information Center has resources available to assist in writing job descriptions <http://www.dpi.state.wi.us/ccic/> or toll free at (800) 362-7252.*

2. An administrator shall:

- a. Be at least 21 years of age.
- b. Have completed high school or its equivalent as determined by the Wisconsin department of public instruction.

*Equivalent to a high school diploma means General Education Diploma (GED) or High School Equivalency Diploma (HSED).*

3. Before a person assumes the position of administrator, the person shall have both of the following:

- a. One year of experience as a manager or satisfactory completion of one credit or non-credit department-approved course in business or program administration.

*A course from the Wisconsin Child Care Administrator Credential will meet this requirement.*

- b. One year of experience as a center director or child care teacher in a licensed child care center or kindergarten or satisfactory completion of one non-credit department-approved course or one course for credit in early childhood education or its equivalent.

*The non-credit, department-approved course called Introduction to the Child Care Profession will meet this requirement as will a broad-based course for credit such as child development or child psychology. The credit course must be broad-based, such as child development, child psychology.*

4. If the board of a parent cooperative is responsible for management of a center, the requirements under subs. 2., and 3., do not apply.

5. Within one year of assuming the position, each administrator shall complete at least 10 hours of training in supervision or personnel management, if the administrator has not previously received that training. The training may be counted as part of the annual continuing education requirement.

*The 10 hours may include the department-approved 10-hour Administrator's course or a combination of training opportunities such as conferences, workshops or correspondence courses.*

(e) *Center director.*

1. The licensee may act as the center director. If the licensee does not act as center director, the licensee shall designate a person or persons to be the center director for each center location.

2. The center director shall be responsible for the supervision of the planning and implementation of the center's program for children, the supervision of staff at the center, staff meetings and orientation and continuing education for the staff.

3. A center director shall be employed on one of the following schedules:

*Centers defined under DCF 251.03(22g) as offering a "part-day" program must have a person who meets the qualifications and fulfills the duties of a center director. All part-day programs remain part day even when operating full time during vacations. The center director in this case is not required to be on site for a set number of hours as indicated under a. and b. below.*

a. At least 10 hours a week for the exclusive purpose of carrying out center director responsibilities in a single full-day center location licensed for 50 or fewer children.

b. At least 20 hours a week for the exclusive purpose of carrying out center director responsibilities in a single full-day center location licensed for 51 or more children.

4. A center director for a program licensed to serve 50 or fewer children shall:
  - a. Be at least 21 years of age.
  - b. Have completed high school or its equivalent as determined by the Wisconsin department of public instruction.

*A General Education Diploma (GED) or a High School Equivalency Diploma (HSED) are equivalent to a having completed high school.*

- c. Have at least 80 full days or 120 half days of experience as a teacher or assistant teacher in a licensed child care center or other approved setting.
  - d. Prior to beginning to work as a center director have completed at least one of the following training requirements:

*The entry-level courses that meet the requirements for family child care providers and experience as a family child care provider may be counted when evaluating the entry-level education requirements for a director of a center serving 50 or less children.*

*“Full-time work experience” means working directly with children for 4 or more hours per day; “half-time work experience” means providing child care for at least 2 hours per day, but less than 4 hours.*

- i. Two non-credit department-approved courses in early childhood education and within one year of assuming the position, one course in the Wisconsin Child Care Administrator Credential or its equivalent.

*Introduction to the Child Care Profession and Skills and Strategies for the Child Care Teacher are the names of the two non-credit department-approved courses that may be used to meet this requirement.*

*Correspondence courses and on-line courses are available from technical colleges and private agencies approved to offer non-credit courses. See Appendix J Resource List for information on how to obtain a list of private agencies approved by the department to offer non-credit courses.*

*Any of the first 5 courses in the Wisconsin Child Care Administrator Credential may be used to meet the requirement for one additional course. See Appendix J Resource List for instructions on how to obtain information on the Wisconsin Child Care Administrator Credential. Child Care Administrator or Director Credentials that are credit based and issued by another state are considered equivalent to the Wisconsin credential. When one course is required, a course in program administration taken as part of an associate or bachelor degree in early childhood education may be taken in place of a course in the Wisconsin Child Care Administrator Credential. No exception is necessary.*

- ii. Two courses for credit in early childhood education and within one year of assuming the position, one course in the Wisconsin Child Care Administrator Credential or its equivalent.
      - iii. Forty eight credits from an institution of higher education with at least 3 credits in early childhood education and within one year of assuming the position, one course in the Wisconsin Child Care Administrator Credential or its equivalent.
      - iv. A certificate from The Registry indicating the person is on Registry Level 12 or above.

*See Appendix J Resource List for instructions on how to obtain information on the Registry Levels.*

- v. A one-year child care diploma from an institution of higher education.
        - vi. An associate degree in early childhood education or child care from an institution of higher education.
        - vii. Child development associate (CDA) credential issued by the council for early childhood professional recognition and within one year of assuming the position, one course in the Wisconsin Child Care Administrator Credential or its equivalent.
        - viii. A bachelor degree from an institution of higher education in early childhood education or child development or a license from the Wisconsin department of public instruction to act as a kindergarten, pre-kindergarten or early childhood (regular or special education) teacher.

**251.05(1)(c)4.d.viii.Note:**

**Note:** Information on how to obtain or renew a Wisconsin department of public instruction teacher license is available on the DPI website, <http://dpi.wi.gov/tepd/index.html>.

e. Complete at least 10 hours of training in supervision or personnel management within one year of assuming the position of center director, if the director has not previously received that training. The training may be counted as part of the annual continuing education requirement.

*See the department's website <http://def.wisconsin.gov/childcare/licensed/EntryLevelTrng.htm> for a list of private agencies approved by the department to offer non-credit courses.*

*A person who holds a Department of Public Instruction (DPI) teaching license from Wisconsin or another state for Kindergarten and up or has a 4-year degree in education meets the early childhood education requirements as center director in a center licensed for 50 or fewer children.*

*See Appendix J Resource List for instructions on obtaining information regarding Wisconsin Technical College System credits.*

*This 10 hours may include the department-approved 10-hour Administrator's course or through a combination of training opportunities such as conferences, workshops or correspondence courses.*

5. A center director for a program licensed to serve 51 or more children shall:
  - a. Be at least 21 years of age.
  - b. Have completed high school or its equivalent as determined by the Wisconsin department of public instruction.
  - c. Have at least 2 years of experience as a child care teacher or center director in a licensed child care center or other approved setting.

*Experience in a family child care center may not be counted towards the experience requirement when evaluating the entry-level requirements for a large child care center director.*

- d. Prior to beginning to work as a center director have completed one of the following training requirements:
  - i. Four non-credit department-approved courses in early childhood education or its equivalent and within 3 years of assuming the position the Wisconsin Child Care Administrator Credential. Up to two courses in the Wisconsin Child Care Administrator may be used to meet the early childhood education requirement, if taken prior to beginning to work as a center director.

*Introduction to the Child Care Profession and Skills and Strategies for the Child Care Teacher are the non-credit, department-approved courses that will meet the requirement for 2 of the 4 courses in this rule. Prior to January 1, 2009, there were 2 additional non-credit, department-approved courses called Center Administrator and Center Director that could be taken to meet the requirement for four non-credit, department-approved courses. The Center Director and Center Administrator courses, taken prior to January 1, 2009, may continue to be used to meet the requirement for four courses. However, after January 1, 2009, the non-credit Center Director and Center Administrator courses are no longer approved. In place of these courses, up to two courses in the Child Care Administrator Credential may be substituted.*

*Correspondence courses and on-line courses are available from technical colleges and private agencies approved to offer non-credit courses. See Appendix J Resource list for instructions on obtaining a list of private agencies approved by the department to offer non-credit courses and information on the Wisconsin Child Care Administrator Credential.*

- ii. Four courses for credit in early childhood education from an institution of higher education and within 3 years of assuming the position, the Wisconsin Child Care Administrator Credential. Up to two courses in the Wisconsin Child Care Administrator Credential may be used to meet the early childhood education requirement, if taken prior to beginning to work as a center director.

*At least one course in early childhood education must be broad-based. "Broad-based courses" means an overview-type course, such as a credit course in child development, child psychology or covering early childhood education curriculum such as kindergarten or nursery school curriculum.*

*When more than one course is required and the requirement will be met by credit-based courses, narrow-based courses such as Health and Nutrition, Children's Literature or Home-School Relations may be accepted to fill the entry-level requirements for additional courses.*

- iii. An associate degree in early childhood education or child care from an institution of higher education.
- iv. A bachelor degree in early childhood education from an institution of higher education or a license from Wisconsin department of public instruction to act as a kindergarten, pre-kindergarten or early childhood (regular or special education) teacher.

*A person holding a teaching license from another state which indicates the person is qualified as a teacher for children from birth through age 8 is acceptable. No exception is necessary.*

- v. A certificate from The Registry indicating the person is on Registry Level 14 or above.

*See Appendix J Resource List for instructions on how to obtain information on The Registry Levels.*

**Note:** Information on how to obtain or renew a Wisconsin department of public instruction teacher license is available on the DPI website, <http://dpi.wi.gov/tepd/index.html>.

*See Appendix J Resource List for instructions on how to obtain a list of private agencies approved by the department to offer non-credit courses.*

(f) *Child care teacher.*

- 1. A child care teacher shall plan, implement and supervise the daily activities for a group of children.
- 2. A person who is a child care teacher shall be at least 18 years of age and have completed high school or its equivalent as determined by the Wisconsin department of public instruction.

*A General Education Diploma (GED) or a High School Equivalency Diploma (HSED) is equivalent to completing high school.*

- 3. A person who is a child care teacher shall document at least 80 full days or 120 half days of experience as an assistant child care teacher in a licensed child care center or other approved early childhood setting.

*Full-time work experience means working directly with children for 4 or more hours per day; half-time work experience means providing child care for at least 2 hours per day, but less than 4 hours.*

- 4. Prior to assuming the position, a person hired to be a child care teacher shall be qualified by having completed one of the following:
  - a. Two non-credit department-approved courses in early childhood education.

*Correspondence courses and on-line courses are available from technical colleges and private agencies approved to offer non-credit courses. See Appendix J Resource List for instructions on how to obtain a list of private agencies approved by the department to offer non-credit courses.*

- b. Two courses for credit in early childhood education or its equivalent from an institution of higher education.

*The first course must be a broad-based course in early childhood education or child development. "Broad-based course" means an overview-type course such as the non-credit courses "Introduction to the Child Care Profession" or "Early Childhood I" or a credit course in child development, child psychology or covering early childhood education curriculum such as kindergarten or nursery school curriculum.*

*The second required course must be the non-credit "Skills and Strategies for the Child Care Teacher" or "Early Childhood II" or a course for credit. Courses for credit could include narrow-based early childhood such as "Health and Nutrition" or "Children's Literature."*

**251.05(1)(f)4.b.Note:**

**Note:** *Introduction to the Child Care Profession* and *Skills and Strategies for the Child Care Teacher* are the names of the non-credit courses approved by the Department to meet the entry level training requirements for a child care teacher.

- c. Certificate from The Registry indicating that the person is qualified as a child care teacher.
- d. Forty-eight credits from an institution of higher education with at least 3 credits in early childhood education or its equivalent.

*The course must be a broad-based course in early childhood education or child development. "Broad-based course" means an overview-type course such as the non-credit courses "Introduction to the Child Care Profession" or "Early Childhood I" or a credit course in child development, child psychology or covering early childhood education curriculum such as kindergarten or nursery school curriculum.*

- e. A one-year child care diploma from an institution of higher education.
- f. An associate degree in early childhood education or child care from an institution of higher education.
- g. Child development associate credential issued by the council for early childhood professional recognition.
- h. Certificate from American Montessori Society, Association Montessori International, or Montessori Accreditation Council for Teacher Education.

*Other Montessori teacher training organizations approved by the Montessori Accreditation Council (MACTE) are: American Montessori Society (AMS), National Center for Montessori Education, AMI, Montessori St. Nicholas, London Montessori Center, Montessori Institute of America, International Association Montessorians, Pan American Montessori Society. If program staff received training from a training organization approved by MACTE, this training would be acceptable.*

*A certificate of completion from the International Montessori Society for a correspondence course in Primary Level (2-6) will meet the education requirements for a child care teacher. The individual with such a certificate will still need to meet the experience component.*

- i. A bachelor degree in education from an institution of higher education or a license from the Wisconsin department of public instruction to act as a teacher.

*A person holding a paraprofessional or substitute teacher license issued by the department of public instruction does not automatically qualify the person as a teacher in a child care center. The person must be able to document that the entry level training requirements specified in this section are met.*

*A person holding a teaching license from another state which indicates the person is qualified as a teacher for children from birth through age 8 is acceptable. No exception is necessary.*

**Note:** Information on how to obtain or renew a Wisconsin department of public instruction teacher license is available on the DPI website, <http://dpi.wi.gov/tepdll/index.html>.

- j. Certificate from the bureau of apprenticeship standards as a child development specialist.
- (g) *Assistant child care teacher.*
  - 1. An assistant child care teacher shall work under the supervision of a child care teacher with a group of children.
  - 2. A person hired to be assistant child care teacher shall be qualified in one of the following ways:
    - a. The person shall be at least 18 years old and have satisfactorily completed one non-credit department-approved course in early childhood education or completes that training within 6 months after assuming the position.

**Note:** *Introduction to the Child Care Profession* is the name of the non-credit course approved by the Department to meet the entry level training requirements for a child care assistant teacher. Information on agencies offering the department-approved course is available on the department's website at <http://dcf.wisconsin.gov>.

*See Appendix J Resource List for instructions on how to obtain a list of private agencies approved by the department to offer non-credit courses.*

b. The person shall be at least 18 years old and have satisfactorily completed one course for credit in early childhood education or its equivalent at an institution of higher education, or is enrolled in that course within 6 months after assuming the position.

*It is recommended to check the T-Net website at <http://www.t-net.org/> for information related to scheduled entry-level training opportunities.*

*Evidence of completion or current enrollment in a child care course must be available within 6 months after assuming the position.*

*The 40 hour family child care course taken prior to September 1, 2003, may be accepted in place of the Introduction to the Child Care Profession course.*

c. The person shall have satisfactorily completed an assistant child care teacher training program approved by the Wisconsin department of public instruction.

*High school courses that meet the entry-level training requirements will result in a certificate issued by the Department of Public Instruction (DPI) – a grade report or high school transcript is not sufficient. A certificate will be issued when both grade and attendance meet the specifications designated by DPI. Licensing specialists will accept only the DPI certificate, not grade reports.*

3. A parent serving as an assistant child care teacher in a center operated by a parent cooperative is exempt from the training requirements under subd. 2.

*Parents serving as assistant child care teachers in centers other than parent co-op must meet the requirements under 251.05(1)(g).*

(h) *Non-credit course criteria.* Non-credit courses offered to meet the non-credit course requirements specified in this subsection shall contain the components prescribed by the department and shall be approved by the department before being offered. The department may at any time withdraw its approval of a non-credit course. Instructors of non-credit department-approved courses shall be approved by the department prior to teaching a course.

*The non-credit courses which have been approved by the department as meeting the entry-level training requirements include:*

- *Introduction to the Child Care Profession (course for administrators, assistant teachers, substitutes, volunteer counted in staff-to-child ratios and the 1<sup>st</sup> broad-based course for teachers and center directors).*
- *Skills and Strategies for the Child Care Teacher (2<sup>nd</sup> course for teachers and directors in a center licensed for 50 or fewer children).*
- *Center (Program) Director (40 hours or more. Taken prior to January 1, 2009, may be used as one of the 4 courses required for a center director of a large child care center licensed to care for 51 or more children).*
- *Center Administrator (40 hours or more. Taken prior to January 1, 2009, may be used as one of the 4 courses required for a center director of a large child care center licensed to care for 51 or more children or as the one course in business required for a center administrator).*
- *10-hour Administrator course (meets the 10 hours of training in supervision or personnel management for administrators or center directors).*
- *Fundamentals of Infant and Toddler Care (persons working with children under age 2).*
- *10-hour School-age Assistant Child Care Worker (meets the requirements for an assistant teacher in a school-age only program).*

*The 40-hour family child care course taken prior to Sept 1, 2003, may be accepted in lieu of the Introduction to the Child Care Profession course.*

*Non-credit, entry-level courses may be taken through private agencies approved by the department or through technical colleges. All non-credit, entry-level courses regardless of the sponsoring agency must have one of the above names in order to meet the requirements of the rule.*

**251.05(1)(h) continued**

*Beginning July 1, 2000, all persons completing a department-approved course offered by a private agency that is used to meet entry-level qualifications will be issued a certificate of completion from The Registry. This is the only documentation of successful course completion that will be accepted for department-approved courses offered by private agencies taken after July 1, 2000.*

*Successful completion of entry-level classes taken at technical schools will be documented on a transcript.*

*High school courses that meet the entry-level training requirements will result in a certificate issued by the Department of Public Instruction—a grade report or high school transcript is not sufficient. A person holding a DPI paraprofessional or teacher aide license will need to document that they have complete the appropriate entry level training.*

*See Appendix J Resource List for instructions on how to obtain a list of private agencies approved by the department to offer non-credit courses.*

**Note:** Information on the components prescribed by the department may be obtained by contacting one of the regional licensing offices in Appendix A. A list of agencies approved to offer non-credit department-approved courses is available on the department’s website at <http://dcf.wisconsin.gov>.

(i) *Certificate.* Each administrator, center director and child care teacher shall obtain a certificate from The Registry (the Wisconsin early childhood professional recognition system) within 3 months after assuming the position. An administrator, a center director and teachers in a school-age only program shall obtain a certificate from The Registry within 6 months after assuming the position. Persons holding a teacher license issued by the department of public instruction are not required to obtain a Registry certificate.

**Note:** Information about how to obtain a certificate may be obtained from The Registry’s website, <http://www.the-registry.org/Application/Application.htm> or by calling 608-222-1123.

*The certificate from the Registry does not need to be renewed in order to meet the licensing rule.*

*Prior to the receipt of the Registry Certificate, new employees must have evidence of qualifications on file. See DCF 251.04(5)(a)5. STAFF FILE – REGISTRY CERTIFICATE, EDUCATIONAL QUALIFICATIONS.*

*Students enrolled at a technical college, private college or university who work in a child care program operated by the college, private college or university have an additional 3 months to obtain a registry certificate.*

(j) *Substitutes.*

1. When a regular required staff member is absent from a center, there shall be a substitute who is at least 18 years of age.

*If someone is scheduled to work in a classroom on a regular basis, they must be qualified. If they are replacing a regularly-scheduled employee as a substitute, the center must be able to demonstrate who the regularly-scheduled person in that classroom is during those hours. If there is no regularly-scheduled person except the “substitute” then, by default, the “substitute” is the regularly-scheduled person and must meet the qualifications for that position.*

*Evidence that substitutes are available may be obtained by reviewing personnel records, including Background Information Disclosure forms, the caregiver background check reports, health examination forms, payroll or time cards or by observation.*

2. A substitute who is employed by the same licensee for more than 240 hours shall obtain at least one non-credit, department approved course or be currently enrolled in training to meet this requirement before completing 240 hours of work as a substitute. A substitute who provides care and supervision to children under age 5 shall have completed department-approved training in shaken baby syndrome as specified under par. (b) before working with children.

3. The center director or designee shall maintain a record of the days and hours worked by each substitute child care worker.

(k) *Volunteers and student teachers.*

1. Volunteers and student teachers shall participate in the orientation required under sub. (2)(a).
2. A volunteer who is used to meet staff-to-child ratios shall obtain at least one non-credit, department-approved course or be currently enrolled in training to meet this requirement before completing 240 hours of work as a volunteer. A volunteer who provides care and supervision to children under age 5 shall have completed department-approved training in shaken baby syndrome as specified under par. (b) before working with children.

**Note:** *Introduction to the Child Care Profession* is the non-credit course approved by the department to meet this requirement.

3. A volunteer who is not used to meet staff to child ratios shall have training in child care programming and procedures before working with children. The training shall include the responsibilities of the volunteer, general child supervision techniques, a review of the daily schedule and general health and safety practices including meal or snack preparation, dishwashing, toileting, personal hygiene and emergency evacuation procedures. This includes volunteers working in a center operated by a parent cooperative.

*The use of the Background Information Disclosure form is strongly recommended for volunteers who are not counted in staff-to-child ratios.*

*Volunteer Training Confirmation – Group Child Care Centers is not a required form; however, use of this form will help the licensee ensure compliance with this section. Documentation of training should be kept on file at the center.*

4. The center director or designee shall coordinate the volunteer program and keep on file documentation of the hours worked by volunteers who are used to meet staff to child ratios.

5. Student teachers who are not employed by the child care center may not be used to meet the staff to child ratios during the time the person is working as a student teacher.

(L) *Health examination.*

1. Except as provided under subd. 2., persons who work directly with children, except volunteers, shall have a health examination within 12 months before beginning work at a specific child care center or within 30 days after beginning work at the center. The results of the examination shall be stated on a form provided by the department. The report shall be dated and signed by a licensed physician, physician assistant or HealthCheck provider. The report shall indicate all of the following:

*HealthCheck Provider means:*

1. *Physicians.*
2. *Outpatient hospital facilities.*
3. *Health maintenance organizations.*
4. *Visiting nurse associations.*
5. *Clinics operated under a physician's supervision.*
6. *Local public health agencies.*
7. *Home health agencies.*
8. *Rural health clinics.*
9. *Indian health agencies.*
10. *Neighborhood health centers.*
11. *Doctor of osteopathy, M.D., D.O., P.A.*

*Chiropractors are not authorized to give physical examinations.*

*See DCF 251.07(6)(k)3. HEALTH EXAMINATION – DOCUMENTATION.*

- a. That the person is free from illness detrimental to children, including tuberculosis.

*Per Division of Health, there are 2 different types of TB testing that will meet this requirement—Mantoux Skin test and Quantiferon Gold Blood Assay test. If either test indicates previous exposure to tuberculosis, an evaluation by a physician should be done rather than a chest x-ray. This evaluation must conclude that the person does not have active TB in order for the person to continue employment.*

**251.05(1)(L)1.b.**

b. That the person is physically able to work with young children.

**Note:** The department's form, Staff Health Report — Child Care Provider, is used for recording physical examination information. Information on how to obtain the department's form is available on the department's website, <http://dcf.wisconsin.gov>, or from any regional licensing office in Appendix A.

2. The health examination requirement under subd. 1. does not apply to a person who requests an exemption from the department in writing. The exemption is granted based on adherence to religious belief in exclusive use of prayer or spiritual means for healing in accordance with a bona fide religious sect or denomination.

*According to the Christian Science Committee on Publications for Wisconsin, the Christian Science faith is the only religion that qualifies under this exemption. Evidence of exemption is presented through a Christian Science form entitled Application for Exemption from Physical Examinations and Immunization.*

3. No licensee, employee, volunteer, visitor or parent with symptoms of serious illness or a communicable disease transmitted through normal contact reportable under ch. DHS 145 which presents a safety or health risk to children may be in contact with the children in care.

4.a. No licensee, employee, volunteer, visitor or parent whose behavior gives reasonable concern for the safety of children may be in contact with the children in care.

b. The department may require a licensee, employee or other person in contact with the children whose behavior gives reasonable concern for the safety of children to submit to an examination by a licensed mental health professional as a condition of licensure or employment.

**Note:** See also DCF 251.11(1)(f) which requires a written statement from a physician or licensed mental health professional when there is reason to believe that the physical or mental health of a person may endanger children in care.

5. No person with a health history of typhoid, paratyphoid, dysentery or other diarrheal disease may work in a center until it is determined by appropriate tests that the person is not a carrier of the disease.

**(2) STAFF DEVELOPMENT.**

(a) *Orientation.* Except as provided under subd. 12., each center shall develop and implement a written orientation program which all new employees, substitutes and regularly scheduled volunteers shall complete and document within their first week at the center. The orientation program shall cover all of the following:

*See DCF 251.04(5)(a)6. STAFF FILE – ORIENTATION & CONTINUING EDUCATION. Completion must be documented through the use of an orientation form which is initialed and dated by the staff person and trainer. The department's form Staff Orientation Checklist – Group Child Care Centers is recommended, but is not required.*

1. Review of this chapter.
2. Review of center policies required under s. DCF 251.04(2)(h) and (i).
3. Review of the center contingency plans required under s. DCF 251.04(2)(i), including fire and tornado evacuation plans and the operation of fire extinguishers.
4. First aid procedures.

*Procedures that should be addressed include:*

- *Emergency procedures followed in bringing a child to emergency medical care.*
- *Routine procedures for treatment of minor injuries.*
- *First aid measures for serious accidents.*
- *Planned source of emergency medical care (summary of several rules).*

*Training in first aid procedures does not mean a formal first aid course is required. The First Aid Chart prepared by the Committee on Accident Prevention and the Subcommittee on Accidental Poisoning, American Academy of Pediatrics is recommended as an appropriate training tool. Contact the American Academy of Pediatrics at (888)227-1770 or [www.aap.org/bookstore](http://www.aap.org/bookstore).*

5. Job responsibilities in relation to the job description.
6. Training in the recognition of childhood illnesses and infectious disease control, including handwashing procedures and universal precautions for handling body fluids.

**Note:** A copy of the universal precautions may be obtained from the Child Care Information Center by calling 800-362-7353.

7. Schedule of activities of the center.
8. Review of child abuse and neglect laws and center reporting procedures.
9. The procedure for ensuring that all child care workers know the children assigned to their care and their whereabouts at all times including during center-provided transportation.

*Procedure should include how center will ensure that all children have exited the vehicle into the physical care of a staff person or another responsible person (e.g., physical walk through of the vehicle, alarms at the rear of the vehicle that require a person to walk to the back to manually shut off alarm, check off list of children who are on the vehicle and who have left the vehicle and been delivered to a caregiver); and should be followed whenever children are being transported either in center-owned vehicles or center-contracted transportation.*

10. Child management techniques.
11. Procedure for sharing information related to a child's special health care needs including any physical, emotional, social or cognitive disabilities with any child care worker who may be assigned to care for that child throughout the day.
12. Review of procedures to reduce the risk of sudden infant death syndrome prior to an employee's or volunteer's first day of work, if the center is licensed to care for children under one year of age.
13. The procedure to contact a parent if a child is absent from the center without prior notification from the parent.

*The procedure to contact a parent when a child is absent without prior notification must include how and when parents will be notified; and should include how long after a child's normal or scheduled starting time the notification will be attempted (e.g., a child is scheduled to arrive at 7:30 a.m., center waits until 9 a.m. to notify parent if the child did not arrive). The procedure does not require that the center talk with or track down a parent to notify. Messages can be left on an answering machine or voice mail or with an emergency contact person. We recommend that the center document attempts to notify a parent.*

*If center provides transportation services from home to center, procedure should address how the center is to be notified that a child is not attending that day (e.g., sign in the window of the home that child is not attending, prior notification to the center that child not attending, a second adult on the vehicle walks to the door to pick up the child, told at the door that child is not attending, etc.).*

14. Information on any special needs a child enrolled in the center may have and the plan for how those needs will be met.

**Note:** The licensee may use the department's form, Staff Orientation Checklist — Group Child Care Centers, for documenting staff orientation. Information on how to obtain the department's form is available on the department's website, <http://dcf.wisconsin.gov>, or from any regional licensing office in Appendix A.

(b) *Staff meetings.* To ensure that staff have the opportunity to receive pertinent information and clarification of problems and issues, each center shall conduct staff meetings at least 9 times in a calendar year or one time for each month of center operation and document that staff meetings have been held.

*Centers that operate for 10-12 months shall conduct staff meetings a minimum of 9 times in a calendar year. Centers that operate for 9 months or less shall conduct a staff meeting for each month of operation.*

*Staff meeting dates shall be available to the licensing specialist.*

*Only that portion of a staff meeting related to training of child care staff may be counted as continuing education. Center business topics do not count towards continuing education hours.*

**251.05(2)(c)***(c) Continuing education.*

*There is no formal approval process for continuing education. If the licensing specialist has a question about the appropriateness of a continuing education experience, the decision on whether to count that experience should be based on the individual's response to the question, "How does this continuing education experience/course apply to your position?" Continuing education that relates to another position with the center (such as a director's responsibilities) may be counted as continuing education even if it does not directly relate to the care of children. Continuing education experiences that help qualify a child care worker for another position in a center may be counted as part of the required continuing education until that person assumes the new position (e.g., a child care teacher could take the courses for center director and count those courses toward continuing education while remaining a teacher in the center). Once the person assumes a director position, those courses would count toward meeting the entry-level qualifications as a center director.*

1. Each administrator, center director and child care worker who works more than 20 hours a week shall participate in at least 25 hours of continuing education each year.

*Whether centers choose to use a continuing education year individual to each staff (e.g., 1 year from date of hire) or they choose to use a common continuing education year (e.g., the fiscal year or the calendar year), it is recommended that the same type of continuing education year be used consistently for all staff.*

2. Each administrator, center director and child care worker who works 20 or fewer hours a week shall participate in at least 15 hours of continuing education each year.

*In determining the number of hours an employee works, all paid hours should be used.*

3. Continuing education hours may be used to meet the continuing education requirement during the year in which the hours are earned and for the 2 years following that year.

4. Continuing education courses taken for credit through an institution of higher education may be used to meet the continuing education requirement during the year the credits were earned and for the following 2 years.

*See Appendix J Resource List for instructions on obtaining credit-to-hours conversion information.*

5. Assistant child care teachers who are currently enrolled in their first entry level course are not required to earn continuing education hours for that calendar year.

7. Types of training acceptable to meet continuing education requirements shall be limited to:
- a. Formal courses resulting in credits or continuing education units.

*See Appendix J Resource List for instructions on obtaining credit-to-hours conversion information.*

- b. Workshops, conferences, seminars, lectures, correspondence courses and home study courses.
- c. Training offered by the child care center through the use of guest or staff trainers.
- d. Documented observation time in other early childhood programs.

8. Continuing education experiences may be in the areas of early childhood education, child development, child guidance, health, caring for children with special needs, first aid, nutrition as it pertains to child development, supervision of staff or the business or administrative aspects of the operation of a child care center or in communication skills.

9. Independent reading and watching of educational materials may be counted for up to 5 hours of continuing education per year for each person required under par. (c)1. to have 25 hours of continuing education, and up to 2.5 hours of continuing education per year for each person required under par. (c)2. to have 15 hours of continuing education.

*Book reports, magazine article reviews and reviews of video tapes pertaining to child care issues independently completed by staff may be substituted for up to 5 hours of the 25-hour requirement for full-time staff and 2.5 hours for part-time staff.*

*A report on the video, book, etc., that includes at least the information requested on the form, Continuing Education Record – Independent Reading/Video Viewing, must be completed and placed in the employee file. While not required, this form may be used to document independent reading and watching of educational materials.*

*Time spent doing research in the Child Development Associate (CDA) process can be counted as a part of these allowed hours. Time spent putting together the portfolio in the CDA process does not count toward continuing education.*

*A staff trainer is one who has received training or who has developed expertise in a special area and who shares that expertise with other staff through a formal presentation. A staff trainer may not count the time spent providing a presentation towards the continuing education requirement, but the time spent gathering information for use during the presentation may be counted.*

**Note:** The licensee may use either the department’s form, Staff Continuing Education Record — Child Care Centers, or the licensee’s own form to document the completion of continuing education. Information on how to obtain the department’s form is available on the department’s website, <http://dcf.wisconsin.gov>, or from any regional licensing office in Appendix A.

(d) *Food service personnel orientation and training.* The center shall provide food service personnel with the orientation under par. (a) and shall document annual training of at least 4 hours in kitchen sanitation, food handling and nutrition.

*Wisconsin Technical College System offers food handler courses although the rule does not require a formal course. The USDA, Child Adult Care Food Program offers frequent training to centers who are receiving USDA Child/Adult Care Food Program funding.*

**(3) SUPERVISION.**

(a) At least one child care teacher shall supervise each group of children.

*This rule must be used in relation to the definition of group. When only one child care worker is required for the number of children in care, that person must meet the qualifications of a child care teacher. When staff-to-child ratios require a second child care worker with a group, that person must meet at least the qualifications of an assistant child care teacher except in parent co-ops (see DCF 251.05(1)(g)3.).*

*An assistant child care teacher may remove part of the group for individualized activities while working under the supervision of the child care teacher.*

(b) Assistant child care teachers who are at least 18 years of age and have completed the training required for the position may provide sole supervision to a group of children in full-day centers for opening and closing hours, not to exceed the first 2 hours and the last 2 hours of center operation.

(c) Each child shall be closely supervised by a child care worker who is within the sight and sound of the children to guide the children’s behavior and activities, prevent harm and assure safety.

*See DCF 251.03(30) definition of “Supervision of children” and 251.05(4)(e)1. NAPTIME – STAFF-TO-CHILD RATIO SUPERVISION.*

*Video cameras may not be used in lieu of staff to supervise children.*

(d) A child care worker may not provide care to children at the center more than 10 hours in any 24-hour period.

(e) A child may not be in care more than 12 hours in any 24-hour period.

*An exception may be granted to a child care center for a child or children to be in care for more than 12 hours in a 24-hour period if a local business or corporation operates a 12-hour work shift for their employees or if the Department determines that granting an exception would support the circumstances and the family. The exception does not need to be individual to each child if the exception is granted in relation to employees of a specific business. A written parental request for care in excess of 12 hours must be on file at the center.*

**251.05(3)(f)**

(f) The center shall implement a procedure to ensure that the number, names and whereabouts of children in care are known to assigned child care workers at all times.

*At any time throughout the day (hours of operation), each classroom staff must have a written or documented system to determine how many children are present and the names of the children that are present.*

*See DCF 251.04(3)(i) REPORT – LOST OR MISSING CHILD.*

(g) A child may not be released to any person who has not been previously authorized by the parent.

*The center may accept email, fax or telephone call. The Department recommends documentation of the telephone call and that identification of the person picking up a child was checked.*

(h) The center shall implement a procedure to contact a parent if a child is absent from the center without prior notification from the parent.

(i) No child shall be left in sole charge of a person under the age of 18.

**(4) STAFFING AND GROUPING.**

(a) The maximum number of children in a group may not exceed the number specified in Table 251.05-D.

(b) The ratio of child care workers to children may not be less than the minimum number of child care workers to children specified in Table 251.05-D.

**TABLE DCF 251.05-D  
Maximum Group Size and Minimum Number of  
Child Care Workers in Group Child Care Centers**

<b>Age of Children</b>	<b>Minimum Number of Child Care Workers to Children</b>	<b>Maximum Number of Children in a Group</b>
Birth to 2 Years	1:4	8
2 years to 2½ Years	1:6	12
2½ Years to 3 Years	1:8	16
3 Years to 4 Years	1:10	20
4 Years to 5 Years	1:13	24
5 Years to 6 Years	1:17	34
6 Years and Over	1:18	36

(c) When 8 or fewer children are present in a center, there shall be a second adult available within 5 minutes for emergencies. The center shall maintain a signed and dated statement from that person, including address and telephone number, certifying that the person is available and agrees to serve if needed.

*Current availability should be updated periodically to confirm the person's continuing availability. The address should be evaluated in terms of distance and length of time which would be required to reach center in an emergency. Staff members must be informed about and have access to current contact information for the emergency contact person. Telephone confirmation with the second adult may be utilized as a compliance check.*

(d) Maximum group size does not apply to field trips, outdoor play areas and areas of the center reserved exclusively for eating, however staff-to-child ratios shall be maintained in those settings.

*This rule applies to all age groups, including infants and toddlers.*

*An area of the center that is used for other purposes (i.e. a classroom or large motor room) throughout the day may be reserved exclusively for eating at designated times. Maximum group size does not apply when the room is used for eating.*

(e) During naptime, an adjustment in group size and staff-to-child ratios in Table 251.05-D may be made as follows:

1. One child care worker shall be within sight or sound of each group of sleeping children. If at least one child is awake, sight and sound supervision of awake children is required.

*Electronic listening devices may be allowed for supervising sleeping children under 2 years of age who sleep in cribs. Consideration should be given to the quality of the device, proximity/accessibility of staff and noise levels in other areas that may interfere with staff's ability to hear. Video cameras are not allowed in place of staff supervision.*

2. Adult-to-child ratios shall be maintained in the center during naptime.

*Support staff such as cooks, clerical staff, custodians or the center director may be counted in the adult-to-child ratios during naptime providing the staff person is aware that they may be called upon, has been oriented to his/her responsibilities and agrees to be available during that time. A support staff used to maintain ratios during naptime may be counted for one position at a time. Verification of a person's awareness that the center is using that person to count in the staff-to-child ratio during naptime may be made through interview or written documentation.*

*As children awaken from nap, child care workers must provide close supervision to the awake children and maximum group size and staff-to-child ratios must be met at all times. For example, when infants and toddlers are sleeping, 2 qualified staff persons must supervise the group of children as soon as the 5<sup>th</sup> child awakens.*

*See DCF 251.03(30) for the definition of "Supervision of children."*

3. Maximum group size requirements do not apply to napping groups.

*When a center has a separate nap room for infants and toddlers, maximum group size does not apply and one child care worker must be within sight or sound. See DCF 251.05(4)(e)1. NAPTIME – STAFF-TO-CHILD RATIO SUPERVISION.*

(f) When there is a mixed-age group, the staff-to-child ratio shall be adjusted on a prorata basis, according to age.

**Note:** The licensee may use the department's form, Child Care Staff-To-Child Ratio Worksheet — Group Child Care Centers, to adjust the staff-to-child ratio. Information on how to obtain the department's form is available on the department's website, <http://dcf.wisconsin.gov>, or from any regional licensing office in Appendix A.

*See Appendix H Child Care Staff-to-Child Ratio Worksheet.*

*When using the Child Care Staff-to-Child Ratio Worksheet (found in Appendix H or on the department's website <http://dcf.wisconsin.gov>), any total numerical weight below .05 is considered statistically insignificant and should be dropped. If the total numerical weight is 1.05 or above, two staff persons are required. If the total numerical weight is 1.04, drop the .04 and only 1 staff member is required.*

(g) When infants and toddlers are part of a mixed-age group, the size of the group may not exceed 8.

*Children turning age 2 may transition into an older age group as long as the new group size does not exceed 8 children and the child's second birthday is no more than 2 weeks prior to the transition date. Transition of a child to a new age group needs to be planned, and discussed with parents prior to the transition.*

**251.05(4)(h)**

(h) When the group of children is a mixed age group of children 2 years and older, the group size shall be determined by the number of children that can be cared for by 2 child care workers as determined by the staff-to-child prorata requirement under par. (f).

*Where nine or more children are present in a center, but a second worker is not required by the staff-to-child ratio, a second adult must be available in the building, such as secretary, minister, cook, etc. The second adult should be aware that they may be asked for assistance in the case of an emergency.*

(i) In a center with 9 or more children present, there shall be at least 2 adults available in the center at all times. At least one of the adults shall be a child care worker directly involved in the supervision and care of the children.

(j) When 9 or more children are on a field trip there shall be at least 2 child care workers accompanying the children and the staff-to-child ratios in Table DCF 251.05-D shall be maintained. At least one of the child care workers shall be a child care teacher.

(k) Support staff, such as clerical, housekeeping and food service staff, may only be considered in determining the staff-to-child ratios:

1. During those hours when they give full attention to the care and supervision of children.
2. If they meet the qualifications for a child care worker.

(L) Child care workers shall be free of non-classroom duties when they are counted in meeting the staff-to-child ratios.

*Classroom duties could include routine daily housekeeping in the classroom such as dusting, floor sweeping, table/chair washing, straightening the room, putting out bag lunches with milk, preparing snack in the room, etc., if these are part of the job responsibility prescribed by the center.*

*In centers where space used by children is used for other purposes after the hours of operation, prohibited non-classroom duties include moving furnishings and equipment into storage before children have departed.*

*If support staff are used as child care workers, the schedule of differing job responsibilities in relation to staff-to-child ratios must be determined. An example may be a child care worker who prepares a snack or meal which requires no more than 10 minutes time and who is immediately accessible in case of emergency is still considered to be a child care worker while performing these tasks. If food preparation takes more than 10 minutes and/or removes the child care worker from immediate availability, the child care worker is considered to be support staff for that time period and does not count in determining staff-to-child ratios.*

(m) Children of staff who attend the center and who are on the premises for supervision and care shall be included in determining group size and staff-to-child ratios.