

DCF 250.05 Staff.

(1) DEFINITION. In this section, "The Registry" means a professional development recognition agency.

Note: For further information, see <https://www.the-registry.org/TheRegistry/AboutUs.aspx>.

(2) STAFF RECORDS. A licensee shall maintain a file for each provider, employee, volunteer, or substitute and shall make the file immediately available for review by a licensing representative at the center. The file shall contain all of the following:

(a) A completed staff record on a form prescribed by the department.

If the licensee is a provider, a file is required.

Volunteers not counted in staff-to-child ratios are not required to have a complete staff file; they are only required to have documentation of completed orientation as per DCF 250.05 (4) (a).

Licensees wishing to maintain electronic files on staff should ensure all the following: the files must be available for review by the licensing specialist during a licensing visit and the files must contain all the required information including, the appropriate department-required forms. The CCPP may be accessed here:

<https://mywchildcareproviders.wisconsin.gov/>.

A center may use the department's Staff Record – Child Care Centers form, may choose to use their own paper form, or may use an electronic form or system to capture the same information included on the department's Staff Record – Child Care Centers form. No exception is necessary. It is the child care program/provider's responsibility to be able to access the electronic form to respond to the licensor's request to review information.

Regardless of the format of the record, it is recommended that the date of discharge be added to the child's record and that the center retain records for 3 years after a child is discharged.

Note: Form DCF-F-CFS0053, *Staff Record – Child Care Centers*, is used for recording staff information. The form is available on the department's website at <https://dcf.wisconsin.gov/cclicensing/ccformspubs>.

(b) Documentation from the department, either paper or electronic, that indicates that a child care background check was completed in compliance with the timelines and requirements specified in s. 48.686, Stats., and ch. DCF 13, and the person is eligible to work in a child care program.

Providers submit a Background Check Request (BCR) for themselves and others through the Child Care Provider Portal (CCPP). The digital form must be submitted initially and reviewed every five years at the time the five-year fingerprint check is due. The CCPP may be accessed here: <https://mywchildcareproviders.wisconsin.gov/>.

Per s. 48.686 (4m) (c), individuals may not begin working or residing at the child care center until they receive preliminary eligibility. New employees or new household members may begin working or residing at a family child care center with preliminary eligibility results, but they must be under supervision of someone with final eligibility until the new employee or household member receives final eligibility.

The Preliminary Eligibility Determination and/or Final Eligibility Determination notices are the documentation accepted as the results of a complete child care background check after 9/30/2018.

(c) Documentation of the actual hours a provider, substitute, employee, or volunteer worked if the hours were used to meet the applicable staff-to-child ratio under Table DCF 250.055.
250.05(2)(d)1.

(d) 1. Except as provided under subd. 2., a physical examination report completed within 12 months before or 30 days after the person became licensed or began working with children in care. The physical examination report may be a printout of an electronic record from a medical professional or on a form provided by the department. The report shall be dated and signed by a licensed physician, physician's assistant, or other EPSDT provider and shall indicate all of the following:

- a. The person is free from illness detrimental to children, including tuberculosis.
- b. The person is physically able to work with young children.

Note: The optional Form DCF-F-CFS0054, *Staff Health Report – Child Care Centers*, is available on the department's website, <https://dcf.wisconsin.gov/cclicensing/ccformspubs>.

See DCF 250.03 (14) – DEFINITION – EPSDT PROVIDER.

If the physical examination report is a printout from a medical professional, it must indicate that the person is free from illnesses detrimental to children, including tuberculosis, and that the person is physically able to work with young children.

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

(e) 1. All of the following, except as provided in subd. 2.:

a. A certificate from The Registry that indicates the person is qualified for the position within 6 months after becoming licensed or beginning to work with children in care.

Information about obtaining a Registry certificate can be found on The Registry's website: <http://www.the-registry.org/>.

A Registry certificate issued before January 1, 2009, that indicates the person is qualified as a family child care provider is acceptable.

Course completion post cards for department-approved, non-credit entry-level training may not replace a Registry certificate that indicates a person's placement level on the career ladder. An individual's Registry learning record will be accepted if it documents the individual's Registry level and the position(s) for which the individual is qualified.

A teaching license issued by the Wisconsin Department of Public Instruction or by another state may be used in place of a Registry certificate. Teaching licenses need not be current.

A person holding a substitute, paraprofessional, or teaching assistant license issued by DPI must have a Registry certificate on file.

b. An updated certificate from The Registry within one year following the effective date of a significant revision of this chapter, as determined by the department.

2. a. A person is exempt from the requirement under subd. 1. a. and b. if the person has been licensed or provided care for children in licensed child care continuously since December 31, 2008, including any combination of licensure or employment in a family child care center licensed under this chapter, a group child care center licensed under ch. DCF 251, or a day camp licensed under ch. DCF 252.

b. A substitute is not required to have a certificate from The Registry until the substitute has worked for 240 cumulative hours.

250.05(2)(f)

(f) Documentation of compliance with continuing education requirements under sub. (4) (c).

The Department forms Staff Continuing Education Record - Child Care Centers or Continuing Education Record - Independent Reading / Video Viewing may be used to document compliance with continuing education requirements. The Registry certificate, or a print-out from the individual's learning record maintained by The Registry, may be used to document continuing education. See Appendix F, Instructions for Obtaining Department Forms.

(3) QUALIFICATIONS OF STAFF.

(a) A provider shall meet all of the following conditions:

1. Be physically, mentally, and emotionally able to provide responsible care to all children, including children with disabilities.
2. Be at least 18 years of age.

(b) Before receiving a license or beginning to work with children in care, a licensee or provider shall satisfactorily complete one of the following:

An employee or volunteer who assists in the child care center but is not counted in the staff-to-child ratio is not considered a "provider" and is not required to meet the training requirements in this section.

1. All of the following:

a. Three credits in early childhood education or a department-approved, non-credit course in early childhood education.

Note: The non-credit course called *Introduction to the Child Care Profession* is the course that has been approved by the department. Information on other acceptable courses and agencies offering department-approved courses is available on the department's website at <https://dcf.wisconsin.gov/cclicensing>.

b. A non-credit, department-approved course in operating a child care business or a course for credit in business or program administration. A person is exempt from this requirement if the person has been licensed or provided care for children in regulated child care continuously since December 31, 2008, including any combination of licensure under s. 48.65, Stats., certification under s. 48.651, Stats., or employment in a licensed child care center or for a certified child care operator.

Equivalent courses could include a credit-based business training course, a course in The Registry Administrator Credential, or a course in center administration taken as part of an associates or bachelor's degree in early childhood education.

If a person was qualified as a child care provider before January 1, 2009, the person remains qualified after January 1, 2009 without an exception. A Registry certificate issued before January 1, 2009, indicating the person is qualified as a family child care provider is acceptable documentation that the person has met the requirement for courses in early childhood education and the business of operating a family child care center.

If an individual is qualified as a family child care provider on the basis of completing the course "Early Childhood I," it is recommended that the individual also complete the course "Fundamentals of Family Child Care," which may be counted as continuing education.

Note: The non-credit course entitled Fundamentals of Family Child Care is approved by the department to meet this requirement. A credit-based course in a business topic may also be used. Information on agencies offering the department-approved course is available on the department's website at <https://dcf.wisconsin.gov/cclicensing>.

2. The Wisconsin Family Child Care Credential.

The Wisconsin Family Child Care Credential is now titled The Registry Family Child Care Credential.

250.05(3)(b)3.

3. A child development associate credential in family child care issued by the Council for Professional Recognition.

(c) A substitute or volunteer that is used to meet the required staff-to-child ratio shall meet the training requirements specified in par. (b) after the substitute or volunteer has worked in the center for 240 hours.

The 240 hours is cumulative, not each year. Training must be complete by the time the individual reaches 240 hours. Documentation of the hours worked must be kept on file at the center.

See DCF 250.05 (2) (e) 2. b. – STAFF FILE – REGISTRY CERTIFICATE.

(cm) A volunteer that is used to meet the required staff-to-child ratios under s. DCF 250.055 shall be at least 18 years of age.

(d) If more than one provider is needed to meet the required staff-to-child ratio, each additional provider shall meet the training requirements in par. (b) within 6 months of beginning to work with children in care.

Second providers have 6 months after beginning work to complete the required training. At a minimum, the training consists of the courses "Introduction to the Child Care Profession" and "Fundamentals of Family Child Care." If the second provider is a volunteer, see (c) above.

(e) 1. Within 3 months after licensure or date of hire, each licensee and provider shall obtain a certificate of completion for a department-approved course in infant and child cardiopulmonary resuscitation, including training in the use of an automated external defibrillator.

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 statute. See the BEMS website <https://www.dhs.wisconsin.gov/ems/licensing/cpr.htm> for a list of currently approved agencies. The training must result in a certificate of completion. If the certificate 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 could be child/adult CPR.

Substitutes and volunteers counted in staff-to-child ratio will need to have CPR training by the time they have worked in a center for 240 hours. Emergency back-up providers are not required to have CPR training.

2. Each licensee and provider shall maintain a current cardiopulmonary resuscitation certification as specified under subd. 1.

3. The time spent obtaining or renewing cardiopulmonary resuscitation training may be counted towards the required continuing education hours under sub. (4) (c).

(f) Each licensee and provider shall have satisfactorily completed at least 10 hours of department-approved training in the care of infants and toddlers within 6 months after becoming licensed or working with children in care under 2 years of age.

Fundamentals of Infant and Toddler Care is the non-credit, department-approved training. Credit-based training in the care of children under age 2 is also acceptable.

If the only child under age 2 is the provider's own child, and the center is not licensed to care for children under age 2, the training is not required. An exception to the age range on the license to care for their own child under age 2 should be in place. If a license is amended to include care of children under age 2, the training must be completed within 6 months of the license amendment date.

250.05(3)(g)

(g) Prior to obtaining a license or working with children in care under 5 years of age, a licensee, provider, substitute, volunteer, emergency back-up, or any other person providing care and supervision shall satisfactorily complete department-approved training in shaken baby syndrome and abusive head trauma, and appropriate ways to manage crying, fussing, or distraught children.

As of September 1, 2020, the new training will be titled Abusive Head Trauma Prevention Training for Child Care Providers. Providers who completed Shaken Baby Syndrome Prevention training prior to September 1, 2020 are not required to complete the new AHT Prevention training.

Completion of the non-credit, department-approved courses "Introduction to the Child Care Profession" or "Fundamentals of Infant and Toddler Care," taken after July 1, 2005 will meet this requirement. Documentation that the course was completed after July 1, 2005 is all that is required to demonstrate that training in shaken baby syndrome prevention was completed. The credit course "Health, Safety and Nutrition" taken from a Wisconsin Technical College after January 1, 2006 will also meet this requirement. Documentation that the course was completed after January 1, 2006 is all that is required to demonstrate compliance.

A Registry certificate or a print-out of the person's learning record from The Registry may also be used to document completion of training in shaken baby syndrome prevention.

A certificate of completion used to document the required SBS/AHT prevention training must contain all of the following: printed (typed) name of student; printed (typed) name of training agency; printed (typed) date the training was completed; printed (typed) name of approved trainer; printed (typed) name of training; and signature of trainer.

Note: The department-approved training is included in the course called *Health, Safety and Nutrition* offered by a Wisconsin technical college or in the non-credit, department-approved courses called *Introduction to the Child Care Profession* and *Fundamentals of Infant and Toddler Care*, if the course was taken after July 1, 2005. Information on agencies offering the department-approved courses is available on the department's website at <https://dcf.wisconsin.gov/cclicensing>.

(h) No person or agency may offer non-credit child care training as specified in this subsection unless the person or agency and the course have been approved by the department. 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.

Note: Information on the approval process for non-credit courses is available on the department's website at <https://dcf.wisconsin.gov/cclicensing>.

(4) STAFF DEVELOPMENT.

(a) *Orientation of employees, volunteers, and substitutes.* Each employee, volunteer, or substitute shall receive an orientation before the individual begins to work with children in care. The orientation shall be documented on a form prescribed by the department and kept in the employee file. The orientation shall cover all of the following:

1. The names and ages of all the children in care.
2. Current arrival and departure information for each child enrolled and the names of people authorized to pick up the child.
3. A review of children's records, including emergency contact information.
4. Specific information relating to each child's health care needs, including medications, disabilities, or special health conditions.
5. If the center is licensed to care for children under one year of age, procedures to reduce the risk of sudden infant death syndrome.
6. An overview of the daily schedule, including meals, snacks, nap, and any information related to the eating and sleep schedules of infants and toddlers enrolled in the center.

250.05(4)(a)7.

7. A review of the center's procedures for dealing with emergencies, including natural disasters, human-caused events, food emergencies, and allergic reactions.
8. The procedure for reporting suspected abuse or neglect of a child.
9. If the center is licensed to care for children between the hours of 10:00 p.m. and 5:00 a.m., the plan for evacuating sleeping children.
10. The prevention and control of infectious diseases, including immunizations.
11. The administration of medications.
12. The handling and storage of hazardous materials and disposal of biocontaminants. In this subdivision, "biocontaminants" includes blood, body fluids, or excretions that may spread infectious disease.
13. The center policies and procedures required under s. DCF 250.04 (2) (e).
14. The provisions in this chapter. 15. The reporting requirements for the child care background check under s. DCF 13.07 (3).

Note: Form DCF-F-CFS2255, *Staff Orientation Checklist - Family Child Care Centers*, is used to document completion of employee orientation. The form is available at <https://dcf.wisconsin.gov/cclicensing/ccformspubs> or from any regional licensing office in Appendix A.

A center may use the department's Staff Orientation Checklist – Family Child Care Centers form, may choose to use their own paper forms, or may use an electronic form or system to capture the same information included on the department's Staff Orientation Checklist – Family Child Care Centers form. No exception is necessary. It is the child care program/provider's responsibility to be able to access the electronic form to respond to the licensor's request to review information.

(b) *Orientation of emergency back-up providers.* Each time an emergency back-up provider cares for the children, the emergency back-up provider shall receive an orientation immediately before being left alone with the children. The orientation shall cover all of the following:

1. The names and ages of all the children in care.
2. Arrival and departure information for each child in care, including the names of people authorized to pick up the child.
3. The location of children's files, including emergency contact information and consent for emergency medical treatment.
4. Information on any children with special health care needs.
5. Procedures to reduce the risk of sudden infant death syndrome, if the center is licensed to care for children under one year of age.

(c) *Continuing education.*

1. Each licensee and provider shall satisfactorily complete at least 15 hours of qualifying continuing education annually. Continuing education qualifies under this paragraph if it covers any of the following:

Due to the COVID-19 pandemic, for the year of 2020, providers are only required to obtain 11.25 hours of continuing education.

Fifteen hours of continuing education each year may be documented by class card, certificate, transcript, or Registry bar code. The form, Staff Continuing Education Record, may be used to document continuing education hours.

The requirement for 15 hours of continuing education each year does not become effective until the regular license is issued. However, continuing education taken during the probationary period may be counted towards the first year's requirement.

250.05(4)(c)1. continued

Attendance at meetings such as support group meetings may be counted as continuing education if the meeting is related to training on a topic related to caring for children or operating a business. Only that portion of the meeting devoted to the training topic may be counted.

The required 10-hour Infant / Toddler, child abuse training, and CPR course may be counted toward the continuing education requirement of 15 hours.

Technical assistance received as part of the YoungStar program may be counted as continuing education for the individual(s) who participated in the technical assistance, verified by documentation from the technical consultant. Time spent during a formal rating evaluation visit for YoungStar may not be counted as continuing education.

Continuing education hours or credit courses may be used to meet the continuing education requirement during the year in which the hours are earned and for the following 2 years. Hours spent in observation in another program which results in college credits (such as in the mentor/protégé program) may not be counted, but the college credit will count. Credits should be converted to hours. See Appendix D Resources List, Credit to Hour Conversion – Technical Colleges and Universities.

The department does not approve agencies or trainers for continuing education. However, The Registry's Professional Development Approval System (PDAS) provides a platform for ensuring that trainers have met certain qualifications and that training topics are taught by qualified instructors. To find continuing education training, see The Registry's website: www.the-registry.org.

The Continuing Education Record – Independent Reading / Video Viewing form available on the department's website may be used to document each child care-related book, magazine, article, or digital media that is read/viewed as part of an employee's continuing education effort. This may include time spent in study to develop a program and curriculum. It does not include time spent in the preparation of activities or instruction with children.

- a. Prevention and control of infectious diseases.
- b. Medication administration.
- c. Prevention of and response to emergencies due to food and allergic reactions.
- d. Identification of and protection from hazards.
- e. Building and physical premises safety.
- f. Emergency preparedness and response planning.
- g. Handling and storage of hazardous materials.
- h. Handling and disposal of biocontaminants.
- i. Child growth and development.
- j. Caring for children with disabilities.
- k. Guiding children's behavior.
- L. Nutrition.
- m. Physical activity.
- n. Transportation safety.
- o. Identification and reporting of suspected child abuse or neglect.
- p. Cardiopulmonary resuscitation.
- q. First aid.
- r. Business operations.
- s. Any other topic that promotes child development or protects children's health or safety.

250.05(4)(c)2.

2. Continuing education under subd. 1. may be obtained through attendance at training events, workshops, conferences, consultation with community resource people, web-based training that results in a certificate of completion, or observation of child care programs.

3. Up to 5 hours of independent reading, viewing educational materials, internet searches, or completion of a web-based course that does not result in a certificate of completion may be used to meet the continuing education requirements under subd. 1.

Due to the COVID-19 pandemic, for the year of 2020 all continuing education may be obtained via independent reading, viewing education materials, internet searches, or web-based training.

Time spent doing research in the child development associate credential (CDA) process can be counted as a part of the 5 allowed hours. Time spent assembling the portfolio in the CDA process does not count toward continuing education.

The topic addressed by the continuing education experience must be one that would prepare a person to function better in their role as family child care provider and small business person.

4. A provider shall have documentation of the 12-month period included in the provider's training year for meeting continuing education requirements and begin a new training year in the same month each year.

Note: The licensee may use either the department's form, *Staff Continuing Education Record - Child Care Centers*, a copy of the individual's learning record from The Registry, or the licensee's own form to document the completion of continuing education. The department's form is available at <https://dcf.wisconsin.gov/cclicensing/ccformspubs>.