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Governor Tony Evers
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Division of Early Care and Education
Bureau of Early Care Regulation

September 30, 2019

BECR Memo 2019-25

To: License Exempt Public School Programs

From: Mark E. Andrews, Director
Bureau of Early Care Regulation

A handwritten signature in blue ink that reads "Mark E. Andrews".

RE: Revisions to DCF 251 – Licensing Rules for Group Child Care Centers
Creation of DCF 13 – Child Care Background Checks

The primary purpose of the emergency rule changes is to ensure that, by September 30, 2019, the department's licensed group child care rules comply with the health and safety requirements found in the Child Care and Development Block Grant (CCDBG) Act of 2014. The rule also regroups the licensed group rules that address the same topics in different places, eliminates duplicative revisions, corrects errors, incorporates state statutory requirements and clarifies language where needed to ensure proper implementation and administration of the health and safety requirements.

Summary of DCF 251 Licensing Changes

This memo does not include every repeal, revision, or addition to DCF 251 and should not be used as a substitute for a thorough review of the revised licensing rules.

1. Rules regarding staff files and staff qualifications have been reorganized.
2. Staff qualifications have been modified. Director of 50 or fewer children and teacher experience requirement has been modified from 80 full days or 120 half days to 320 hours.
3. CPR and automated external defibrillator (AED) training will need to be completed within 3 months of beginning to work with children in care.
4. Qualifications for staff that work exclusively with school-age children will be expanded to include additional types of allowable education and experience.
5. The rules related to emergency planning have expanded examples of emergency situations and specify that emergency plans must include procedures that address evacuation, relocation, shelter-in-place, lock-down, communication with parents, procedures that ensure that the needs of children under age 2 and children with disabilities are met when utilizing emergency procedures, food emergencies, and allergic reactions.
6. Rules will be consolidated and grouped with other similar rules, such as personal hygiene (handwashing), medical log books, children's records, and staff files.
7. Time-outs may not exceed 3 minutes.

8. Rules regarding safe sleep environments have been updated. No soft or loose objects are allowed in cribs or playpens for children under 1 year of age, including blankets, flat sheets, and pacifiers with attached soft objects.

DCF 13 Rule Creation

DCF 13 Background Checks for Child Care Programs, is based on the existing requirements under s. 48.686, Stats. The newly created DCF 13 includes provisions on submitting a background check request to the department and the required appeal process. Additional information regarding background checks is located <https://dcf.wisconsin.gov/ccbgcheck> and background check appeals can be found here: <https://dcf.wisconsin.gov/ccbgcheck/appeals>.

Additional Information

The department is working on updates to licensing forms, publications, and webpages to reflect changes in the rule. Please be sure to use the most recent version of each form available on the department's website.

The approved rules will be available at <https://dcf.wisconsin.gov/childcare/ccadminrule> on September 30, 2019. Commentary manuals will be taken off the website on September 30 but will be available again when the permanent rule goes into effect in March 2020. Printed rule books will also be available in March.

If you have questions or require assistance in accessing information or forms on the DCF website, please contact your regional licensing office.

Licensing contact information can be found at the following website:
<https://dcf.wisconsin.gov/cclicensing/contacts>

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