



ANNUAL REPORT:
CHILD CARE LICENSING AND CERTIFICATION ACTIVITY
January – December 2022

The mission of the Bureau of Early Care Regulation (BECR) is to promote and protect the health, safety, and welfare of children in child care settings. BECR works to ensure licensing requirements are met through inspections of licensed family and group child care centers, licensed day camps, public school operated programs, and certified child care programs in Milwaukee County. BECR provides training and consultation to child care certifiers employed by counties, tribes, and subcontracted agencies outside of Milwaukee County.

Types of regulated child care include:

- Certified Family Child Care (care for up to 3 children under age 7, but may care for a group maximum of 6 that includes day care children ages 7 and older and/or the provider's own/related children under the age of 7)
- Licensed Family Child Care (up to 8 children under the age of 7)
- Licensed Group Child Care (9 or more children under the age of 7)
- Licensed Day Camp (seasonal program for 4 or more children ages 3 and up)
- Public school-operated child care programs (operated by or under contract with public school districts)

Together, licensed, certified and public school-operated child care programs served over 260,699 children in Wisconsin in 2022.



2022 Summary

- BECR conducted over 10,000 visits, including on-site monitoring and remote virtual visits to licensed and public school-operated programs. Licensing staff verified compliance with administrative rules, provided technical assistance, completed 1,378 complaint investigations of licensed and unlicensed programs, and reviewed and closed over 7,800 self-reported incidents, injuries, and communicable diseases (e.g., related to the COVID-19 pandemic) involving a child in licensed care.
- BECR issued over 1,000 enforcement actions.
- Certifiers completed over 1,500 monitoring activities to over 490 certified child care providers.
- BECR licensing specialists reviewed over 1.9 million rules at licensed child care centers. Approximately 98.9% of the rules reviewed by BECR were met by licensed centers, with 1.04% resulting in a violation.
- BECR staff completed 31,170 annual DOJ background checks and 18,326 FBI fingerprint-based background checks in 2022.
- Ten computer-based training modules for licensing staff are offered on the internal DCF training website. Topics include use of authority, vehicle safety alarms, complaint investigations and enforcements. Additional training addressing background checks is accessible on the public-facing Child Care Background Check website.

The remainder of this report provides information on numbers of regulated child care centers, capacity, estimated number of children served, new applications, monitoring, complaints, and enforcement activities, serious injuries and deaths, frequently cited violations, and background checks.



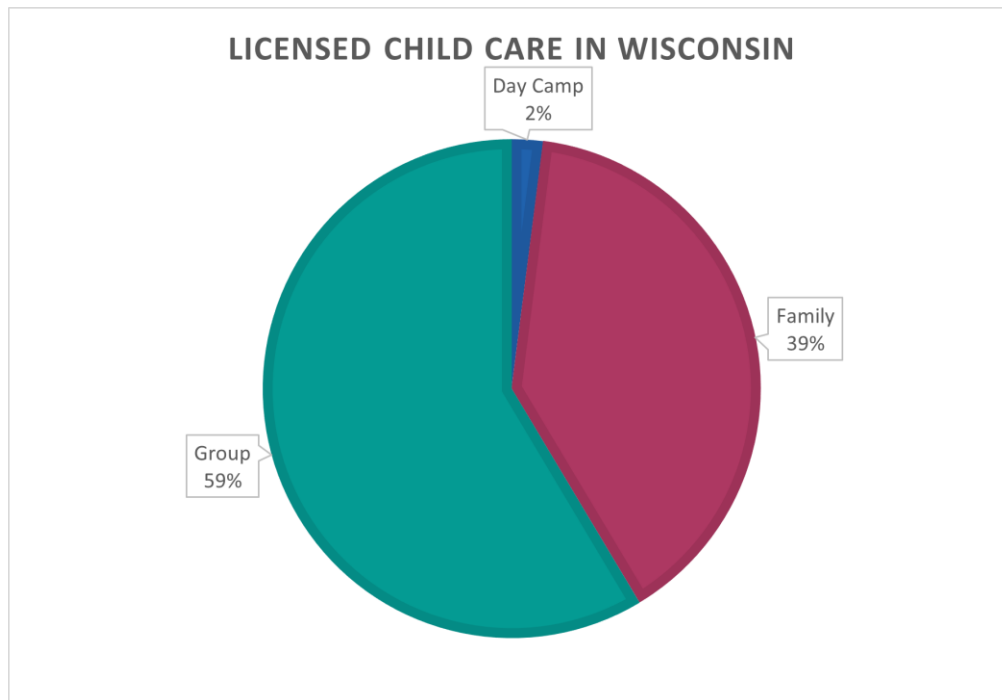
Licensed Providers, Capacity and Estimated Enrolled Children

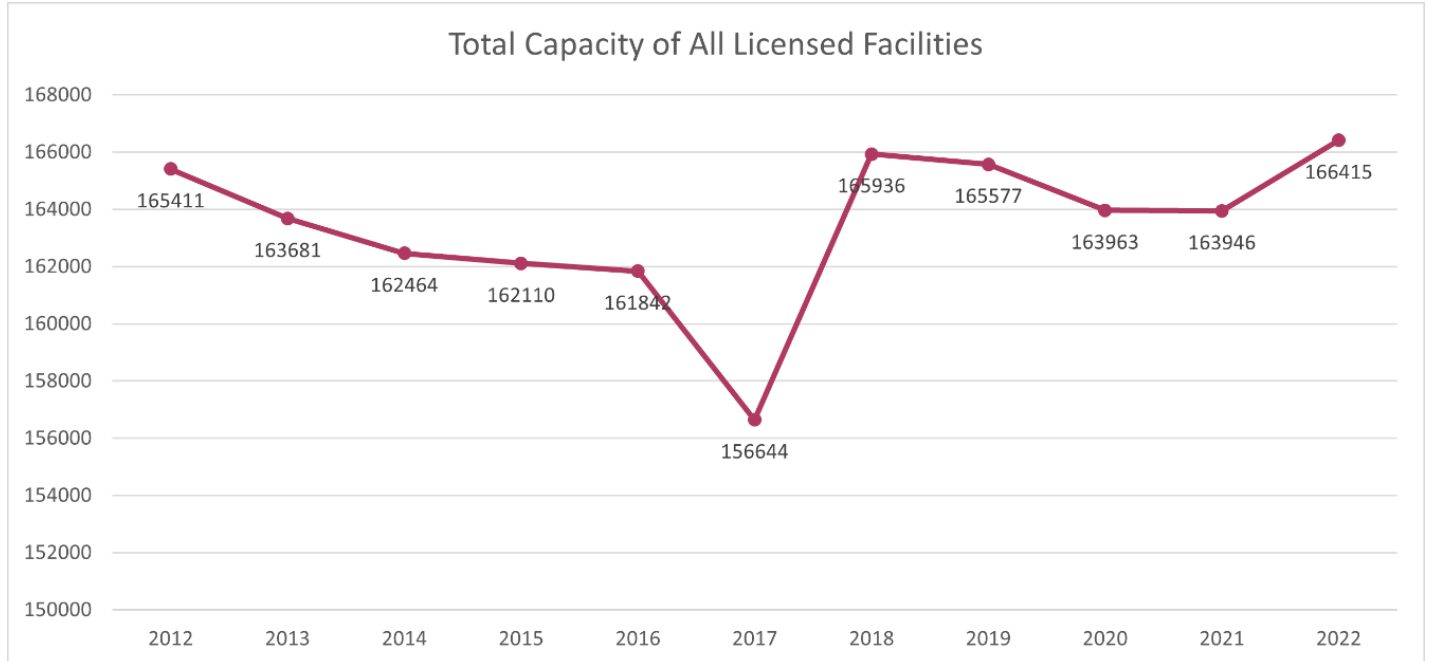
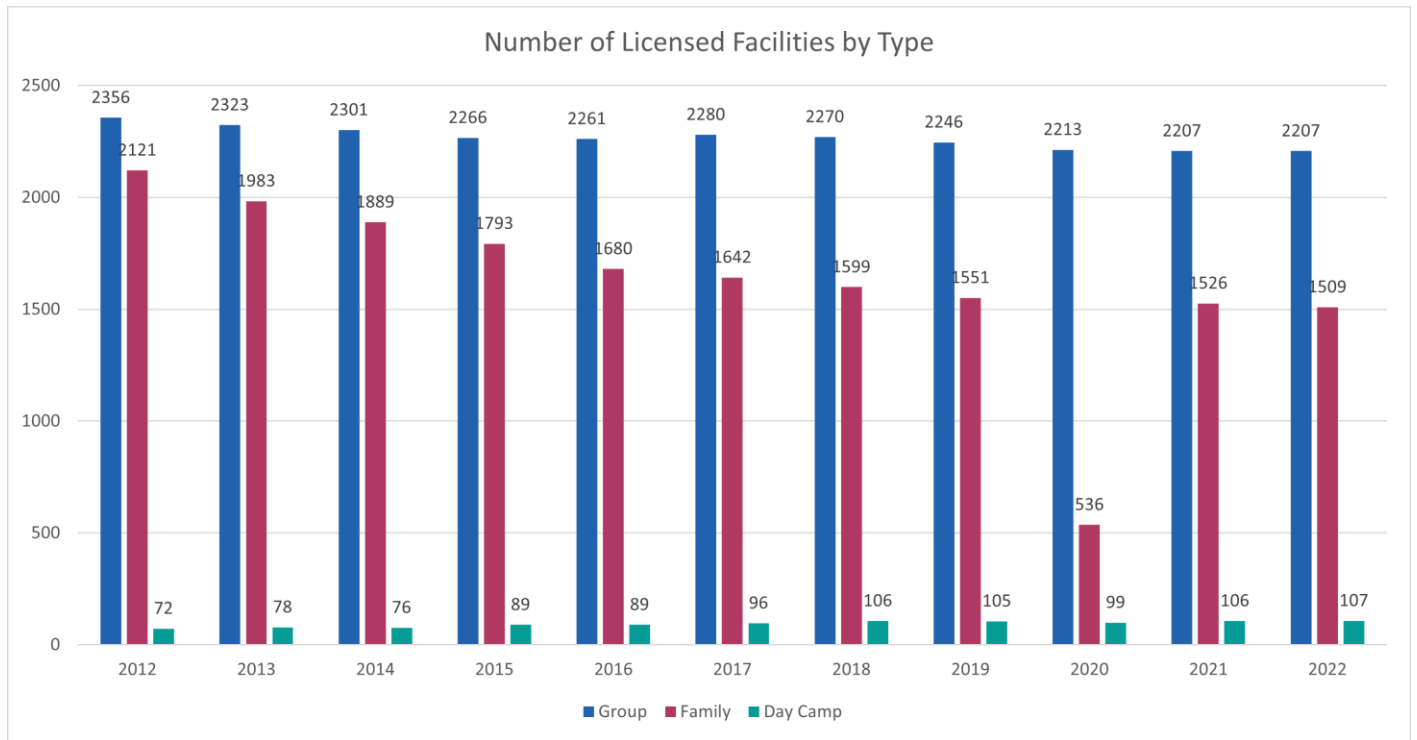
As of December 31, 2022, there were 3,823 licensed child care centers and licensed day camps in Wisconsin. Of the 3,823 licensed centers, 58% (2,207) were licensed group centers, 39% (1,509) were licensed family centers and 3% (107) were licensed day camps. The overall number of licensed child care facilities operating in 2022 decreased by less than 1% compared to the number of facilities operating in 2021 (3,839). The number of group child care centers remained the same and family child care centers decreased by less than 1% between 2021 and 2022 respectively. The number of day camps increased by one program.

An estimated 234,333 children were served in licensed child care centers and licensed day camps in 2022. The following charts show the number of licensed providers and capacity in 2022, estimated enrolled children, and the change over time in number and total capacity of providers.

	Total No. of Providers	Total Daytime Capacity	Total Night-time Capacity	Estimated Number of Enrolled Children*
Licensed Group	2,207	143,868	7,703	201,589
Licensed Family	1,509	11,984	2,072	18,694
Licensed Day Camps	107	10,563	0	14,049
TOTAL	3,823	166,415	9,775	234,333

*The estimated number of enrolled children in licensed care is calculated by multiplying licensed capacity by 1.33. Due to part-time care, licensed slots are often filled by more than one child.





Public School-Operated Programs

Wisconsin's public school-operated programs are child care programs operated by or under contract with public school districts. Pursuant to Wis. Stat. § 120.13(14), a child care program established and provided by a school board is not required to be licensed but must comply with all applicable child care licensing standards governing the operation of licensed group child care centers. BECR is the designated state agency responsible for monitoring public school-operated programs receiving Wisconsin Shares. As of December 31, 2022, there were 217 public school-operated programs subject to annual monitoring by BECR licensing specialists. These programs had a capacity of 19,824 and served approximately 26,366 children.

New Applications

During 2022, the BECR regional office staff received and processed 435 new applications for licensure, a decrease of nearly 3%. Of these applications, BECR approved 390 of them (89%). There were 230 applications to provide certified care during this same time period, an increase of 3%. Of these applications, 158 applications (68%) were approved.



Licensing Monitoring Activities

There are 51 BECR licensing/certification specialists (48.3 full-time equivalent) responsible for monitoring licensed centers, public school-operated programs, and certified providers in Milwaukee County. Each specialist’s caseload includes a mix of providers. As of December 2022, the average caseload is 69 child care programs per specialist.

Throughout the year, BECR staff is involved in opening new and relocated licensed child care centers, closing licensed centers, and conducting routine monitoring of others. Child care centers and camps must be visited at least once per year by a licensing specialist to monitor for compliance with the administrative rules. In practice, the average number of visits to centers is nearly two per year.

BECR completed 8,028 monitoring activities for licensed and public school-operated programs to monitor, provide technical assistance, verify compliance, review accident/incident reports and investigate complaints. An additional 121 visits were made to unregulated child care locations in response to allegations of unlicensed care. In addition, licensing specialists attempted 609 visits in which they were unable to gain entry during the center’s licensed hours of operation. The following table shows the number of visits/reviews of child care providers in 2022, by reason type.

Purpose of the Visit/Review	Number
Monitoring for Licensing	5,817
Complaint Regarding Licensed Center	1,387
Desk Review – CBU	557
Desk Review	706
Other Contact/No Site Visit	793
Initial Licensing Study	534
Attempted Visit	600
Technical Assistance for Licensed Facility or Public School-Operated Program	193
Complaint Regarding Unlicensed Center	121
Offsite Record Review	168
Enforcement Action Compliance Verification	69
License Amendment	66
Pre-licensing Technical Assistance	14
Verification of Noncompliance Statement and Correction Plan	34
Vehicle Alarm Check Only	48
TOTAL NUMBER OF VISITS/REVIEWS	11,107



Complaints

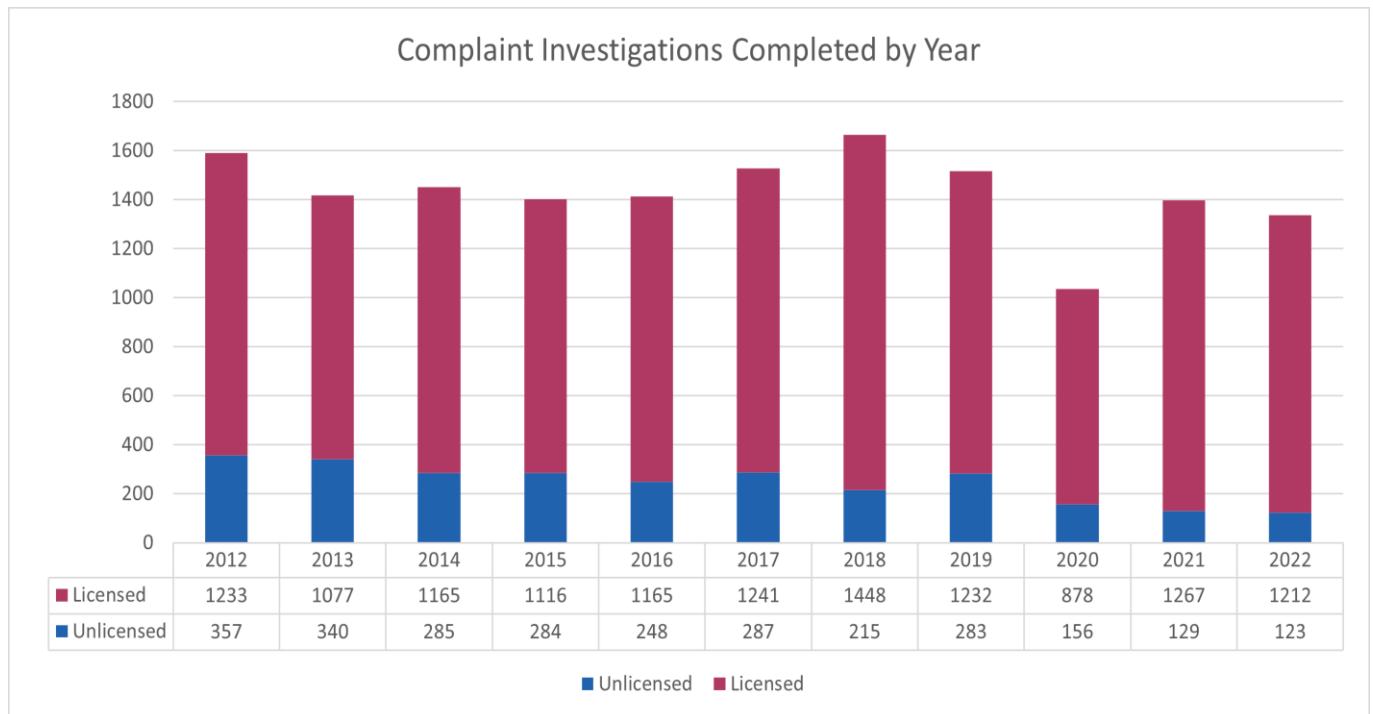
BECR received 1,212 complaints concerning licensed child care centers in 2022. This compares to 1,267 complaints in 2021, a decrease of 4% between 2021 and 2022.

In 2022, BECR substantiated 512 complaints regarding licensed child care, while 681 complaints were unsubstantiated. A complaint is considered substantiated when at least one of the allegations contained in the complaint results in issuance of a rule violation.

BECR received 123 complaints alleging unlicensed child care in 2022. BECR closed 118 of these complaints, with 77 unsubstantiated and 42 substantiated.

The following two charts reflect the number and status of complaints, and the variation in number of complaints over time.

	Received	Closed	Substantiated	Unsubstantiated
Unlicensed Complaints	123	118	43 (34%)	75 (61%)
Licensed Complaints	1,212	1,193	512 (42%)	681 (56%)

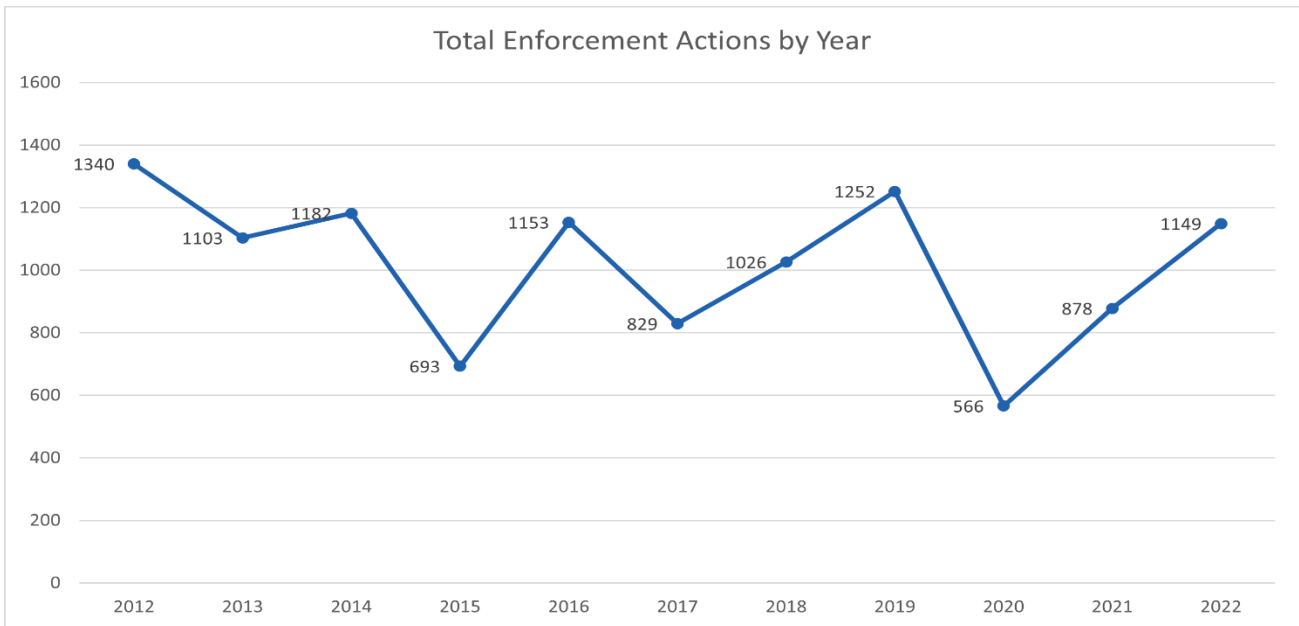




Licensing Enforcement Actions

Enforcement actions are initiated when, because of the severity of violations and/or a pattern of repeated violations, the health, safety, and welfare of children in care are at risk. Progressive enforcement refers to a series of actions taken to gain compliance with administrative rules when previous efforts, such as citing the violation or providing technical assistance, have not worked. Enforcement actions are authorized in statute and can ultimately lead to revocation of a license.

In 2022, there were 1,149 enforcement actions. The following two charts show the total number of licensing enforcement actions since 2012 and the types of enforcement actions issued in 2022.



Licensing Enforcements Issued in 2022	
Orders/Stop Operating Orders	443
Warning Letters	295
Forfeitures/Direct Forfeitures	207
Revocations	160
Second Probationary License Due to Noncompliance	18
Denials	19
Summary/Temporary Suspensions	7
TOTAL	1,149



Most Frequently Cited Licensed Child Care Rule Violations

In 2022, the top five most frequently cited rule violations in **licensed family child care centers** were:

- Child Record – Enrollment and Health History Forms
- Current, Accurate Daily Attendance Record
- Biennial Training – Child Abuse and Neglect
- Emergency Plans – Practice
- Child Record – Immunization History Compliance

In 2022, the top five most frequently cited rule violations in **licensed group child care centers** were:

- Staff Record – Completed Background Check
- Staff Record – Physical Examination
- Cardiopulmonary Resuscitation Training
- Biennial Training – Child Abuse and Neglect
- Child Tracking Procedure

In 2022, the top five most frequently cited rule violations in **licensed day camps** were:

- Staff File – Background Check Results
- Staff File – High School Diploma or Equivalent
- Cardiopulmonary Resuscitation Training
- Child Tracking Procedure
- License Continuation – Time Frame to Submit Materials

Attachment A provides a listing of the twenty most frequently cited licensed child care rule violations in family and group centers and day camps in 2022.



Serious Injuries and Deaths in Child Care

In the Child Care Development Fund (CCDF) 2020 State Plan a serious injury was defined as any injury that requires medical attention. Using that serious injury definition, BECR reported an average of 1,300 serious injuries per year. This number grossly overstates *serious* injuries occurring to children in Wisconsin's regulated child care centers, providing an inaccurate picture of the risks to children in care.

As a result, the definition of serious injury was updated in 2021 to more clearly delineate reporting requirements under CCDF. Effective January 1, 2021, the new definition of serious injury is as follows:

For the purposes of child care regulation, the Department has expanded the definition of "serious injury" beyond that which is contained in §48.981, Wis. Stats.

A "serious injury" is:

- a. Death or substantial risk of death,
- b. A broken or fractured bone,
- c. A concussion,
- d. Any other injury that requires medical treatment from a physician, dentist, registered nurse, licensed practical nurse, paramedic, physician assistant, or emergency medical technician.

Under the refined definition, there were 1,147 serious injuries in licensed, public school-operated programs, and certified child care centers during 2022. During the same year, there was one death in a licensed child care center and one death in an unregulated program.

Thirteen referrals for child protective services investigation resulted in a substantiated finding of child abuse or neglect.



Number and Capacity of Certified Child Care Centers

As of December 31, 2022, there were 494 certified family child care providers. This is an increase from 489 providers in 2021. An estimated 5,873 children were served in certified child care in 2022.

The following table shows the number of certified child care centers and estimated number of children enrolled in certified care in 2022.

	Total No. of Providers	Maximum Group Size	Allowable Number of Children Under the Age of 7	Estimated Number of Enrolled Children*
Certified Family	494	6	3	5,873

* The estimated number of enrolled children in certified family care is calculated by multiplying the number of providers by the maximum group size of 6.

Certified Provider Monitoring

Monitoring of certified family child care is conducted by BECR licensing specialists (for Milwaukee County certified programs) and certifiers employed by the counties, tribes, and subcontracted agencies in the balance of the state.

Certifiers completed 1,087 monitoring activities of certified centers in 2022 to monitor, provide technical assistance, verify compliance, and investigate complaints. Certified providers must receive one unannounced monitoring visit each year. Additionally, certifiers completed 234 reviews of programs.

In addition to the 1,087 monitoring activities certified centers in 2022, certifiers attempted 251 visits to centers throughout the year but were unable to gain access.



The following table shows the number of visits made to certified child care centers in 2022, by reason type.

Purpose of the Visit	Number
Annual Visit/Monitoring/294 Verification/Other	562
Desk Review/Off Site Record Review/No Site Visit/Other Contact	192
Initial Provider Visit	190
Re-Certification Visit	182
Attempted Visit	241
Complaint Visit	66
Relocation Visit	46
Expired Re-Certification Visit	7
Technical Assistance Visit	19
Vehicle Alarm Check	5
TOTAL	1,510

The following table shows the enforcement actions issued to certified programs in 2022, by enforcement type.

Certification Enforcements Issued in 2022	
Warning Letters	49
Revocations	20
Suspensions	11
Denials	6
TOTAL	86

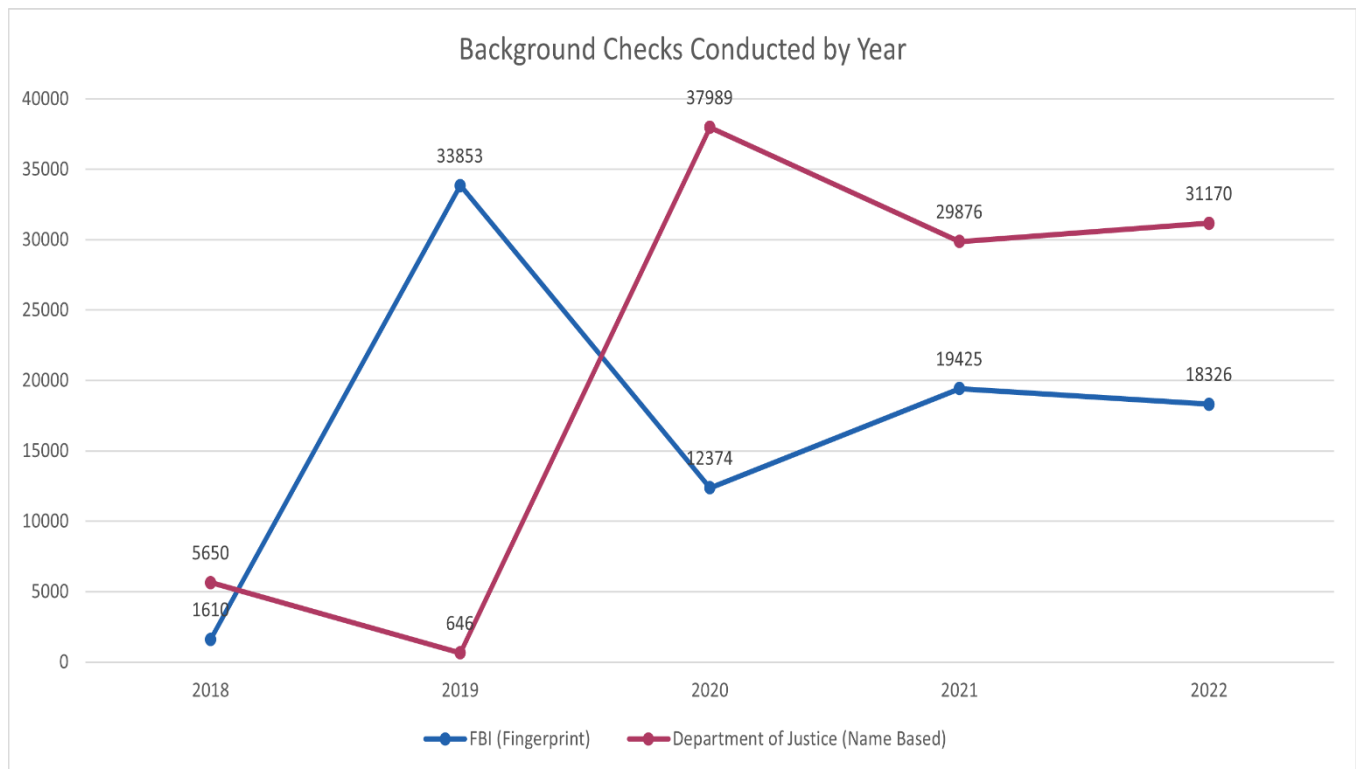


Child Care Background Check History

As of October 1, 2018, the BECR Child Care Background Unit (CBU) implemented new background check provisions required under the federal Child Care Development and Block Grant Reauthorization Act of 2014. All caregiver and non-caregiver child care employees and household members age 18 or older must undergo a DCF fingerprint-based background check every five years to be eligible to operate, work at, or reside in a child care center. In 2019, the single largest number of FBI background checks were processed by the CBU to bring all centers into compliance with existing staff and household members.

Background Check Process and Progress in 2022

During 2022, the CBU completed 18,326 FBI background checks and 31,170 name-based Wisconsin Department of Justice background checks. The CBU issued enforcements to 225 child care programs as a result of noncompliance with background check requirements.





Attachment A

Twenty Most Frequently Licensing Rule Violations – 2022

Violation Code	Description	Total
251.05(2)(a)2.	STAFF RECORD – COMPLETED BACKGROUND CHECK	610
251.05(3)(c)	CARDIOPULMONARY RESUSCITATION TRAINING	500
251.05(2)(a)3.a.	STAFF RECORD – PHYSICAL EXAMINATION	487
251.04(8)(b)	BIENNIAL TRAINING – CHILD ABUSE AND NEGLECT	427
251.055(1)(f)	CHILD TRACKING PROCEDURE	341
250.04(6)(a)1.	CHILD RECORD – ENROLLMENT & HEALTH HISTORY FORMS	330
251.07(6)(dm)4.	MEDICAL LOG – REVIEWING INJURY RECORDS	301
251.055(1)(a)	SUPERVISION OF CHILDREN	277
250.04(6)(b)	CURRENT, ACCURATE DAILY ATTENDANCE RECORD	263
251.05(3)(b)	SHAKEN BABY SYNDROME PREVENTION TRAINING	253
250.04(8)(b)	BIENNIAL TRAINING – CHILD ABUSE & NEGLECT	244
251.04(6)(a)6m.	CHILD RECORD – IMMUNIZATION HISTORY	238
251.05(4)(a)	STAFF ORIENTATION – DEVELOP, IMPLEMENT, DOCUMENT	225
251.06(2)(d)	ACCESS TO MATERIALS POTENTIALLY HARMFUL TO CHILDREN	223
251.09(1)(c)	INFANT & TODDLER – DOCUMENTING CHANGES IN DEVELOPMENT	222
251.11(4)(b)	CONTINUATION LICENSE – APPLICATION MATERIALS SUBMISSION	212
251.05(2)(a)6.	STAFF RECORD – DAYS & HOURS WORKED	208
251.05(2)(a)4.d.	STAFF RECORD – EDUCATIONAL QUALIFICATIONS	205
250.06(3)(b)	EMERGENCY PLANS – PRACTICE	199
251.06(2)(a)	POTENTIAL SOURCE OF HARM ON PREMISES	197