



## **ANNUAL REPORT: CHILD CARE LICENSING AND CERTIFICATION ACTIVITY January – December 2023**

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 all licensed family and group child care centers, licensed day camps, and public school operated programs in the state, as well as 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 229,854 children in Wisconsin in 2023.

## 2023 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 1,348 complaint investigations of licensed and unlicensed programs, and reviewed and closed over 2,900 self-reported incidents, injuries, and communicable diseases involving a child in licensed care.
- BECR issued over 1,000 enforcement actions.
- Certifiers completed over 1,500 monitoring activities to over 520 certified child care providers.
- BECR licensing specialists reviewed over 2.4 million rules at licensed child care centers. Approximately 98.8% of the rules reviewed by BECR were met by licensed centers, with 1.16% resulting in a violation.
- BECR staff completed 33,219 annual name-based Wisconsin Department of Justice (DOJ) background checks and 17,947 Federal Bureau of Investigations (FBI) fingerprint background checks in 2023.
- 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.
- BECR revised child care licensing rules affecting chapters DCF 250, 251, and 252. The primary purpose of the rule revisions was to accurately reflect the nature of school-age child care in DCF 251 – Licensed Group Center rule. However, while making those revisions, BECR also proposed revisions for other rule groups. The rule revisions went into effect March 1, 2023. BECR provided a variety of resources to help providers and stakeholders come into compliance with new rule requirements, such as computer-based trainings for each child care type, regional hybrid trainings, and internal trainings for licensing staff.

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.

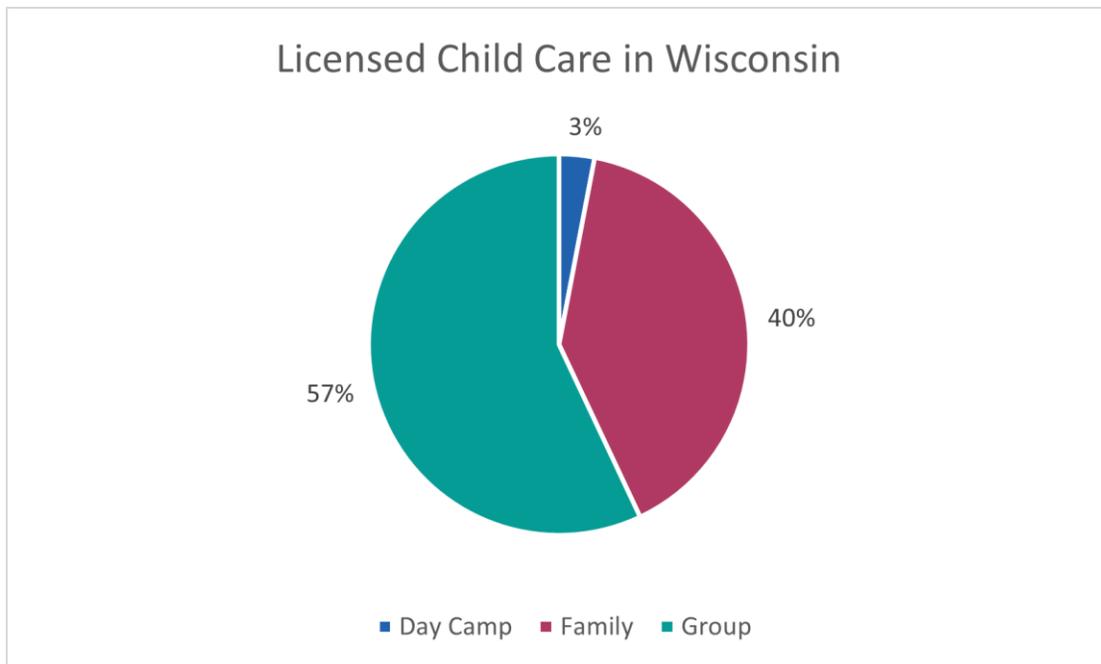
### Licensed Providers, Capacity and Estimated Enrolled Children

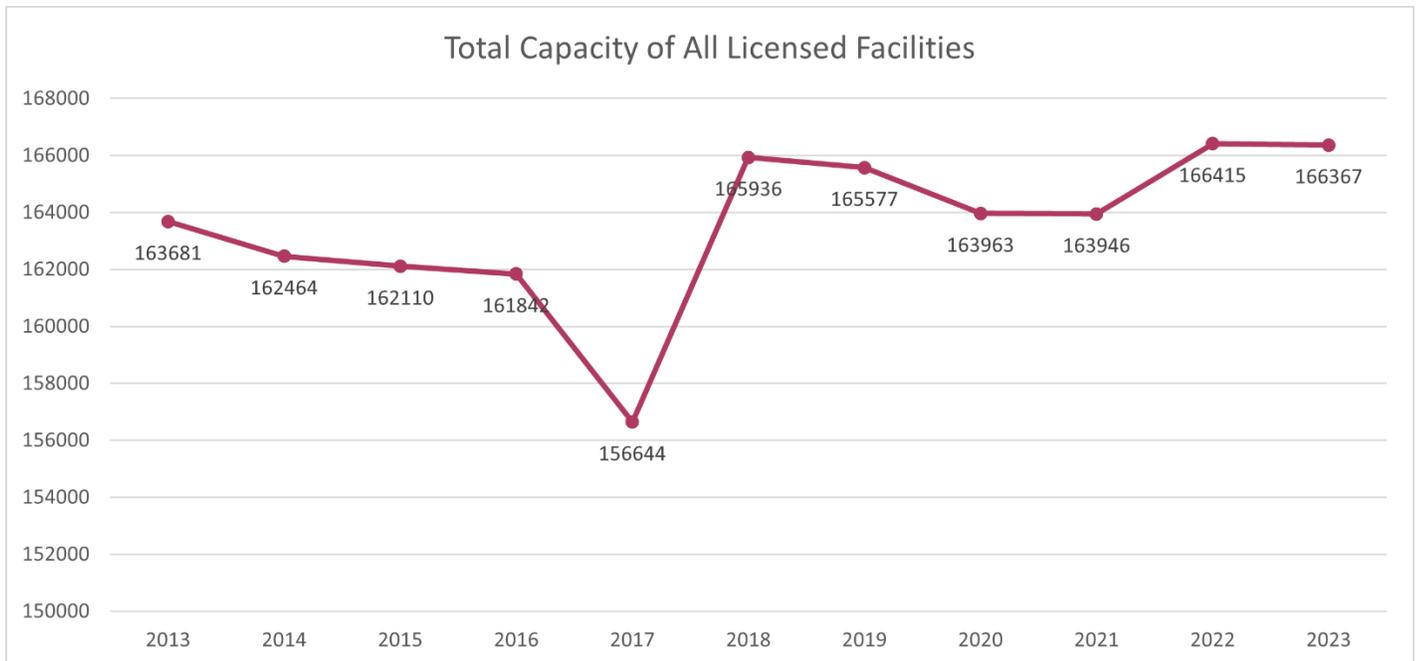
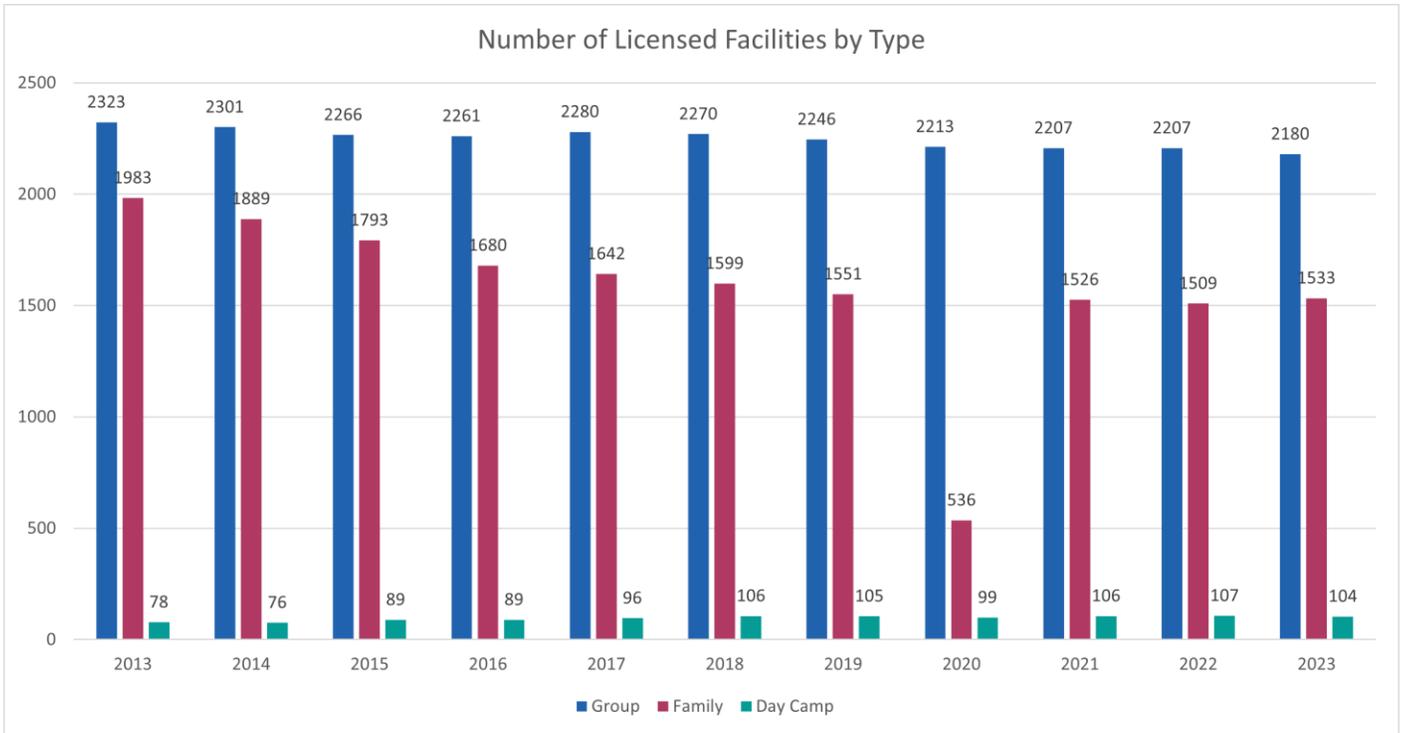
As of December 31, 2023, there were 3,817 licensed child care centers and licensed day camps in Wisconsin. Of the 3,817 licensed centers, approximately 57% (2,180) were licensed group centers, 40% (1,533) were licensed family centers and 3% (104) were licensed day camps. The overall number of licensed child care facilities operating in 2023 decreased by less than 1% compared to the number of facilities operating in 2022 (3,823). The number of group child care centers decreased by less than 1% and family child care centers increased by approximately 2% between 2022 and 2023 respectively. The number of day camps decreased by three programs.

An estimated 216,277 children were served in licensed child care centers and licensed day camps in 2023. The following charts show the number of licensed providers and capacity in 2023, 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	2,180	143,884	7,132	187,049
Licensed Family	1,533	12,168	1,978	15,818
Licensed Day Camps	104	10,315	0	13,410
TOTAL	3,817	166,367	9,110	216,277

\*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, 2023, there were 225 public school-operated programs subject to annual monitoring by BECR licensing specialists. These programs had a capacity of 17,514 and served approximately 22,768 children.

## New Applications

During 2023, the BECR regional office staff received and processed 439 new applications for licensure, an increase of less than 1%. Of these applications, BECR approved 396 of them (90%). There were 230 applications to provide certified care during this same time period, which remained the same from the previous year. Of these applications, 153 applications (67%) were approved.

## Licensing Monitoring Activities

There are 53 BECR licensing/certification specialists (50.65 full-time equivalent) responsible for monitoring licensed centers and public school-operated programs, as well as certified providers in Milwaukee County. Each specialist's caseload includes a mix of providers. As of December 2023, the average caseload is 71 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 day 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 10,678 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 134 visits were made to unregulated child care locations in response to allegations of unlicensed care. In addition, licensing specialists attempted 556 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 2023, by reason type.

Purpose of the Visit/Review	Number
Monitoring for Licensing Rules	5,428
Complaint Regarding Licensed Center	1,440
Desk Review – Child Care Background Unit	461
Desk Review	1,057
Other Contact/No Site Visit	586
Initial Licensing Study	549
Attempted Visit	556
Technical Assistance for Licensed Facility or Public School-Operated Program	201
Complaint Regarding Unlicensed Center	134
Offsite Record Review	133
Enforcement Action Compliance Verification	83
License Amendment	67
Pre-licensing Technical Assistance	2
Verification of Noncompliance Statement and Correction Plan	20
Vehicle Alarm Check Only	95
<b>TOTAL NUMBER OF VISITS/REVIEWS</b>	<b>10,678</b>

## Complaints

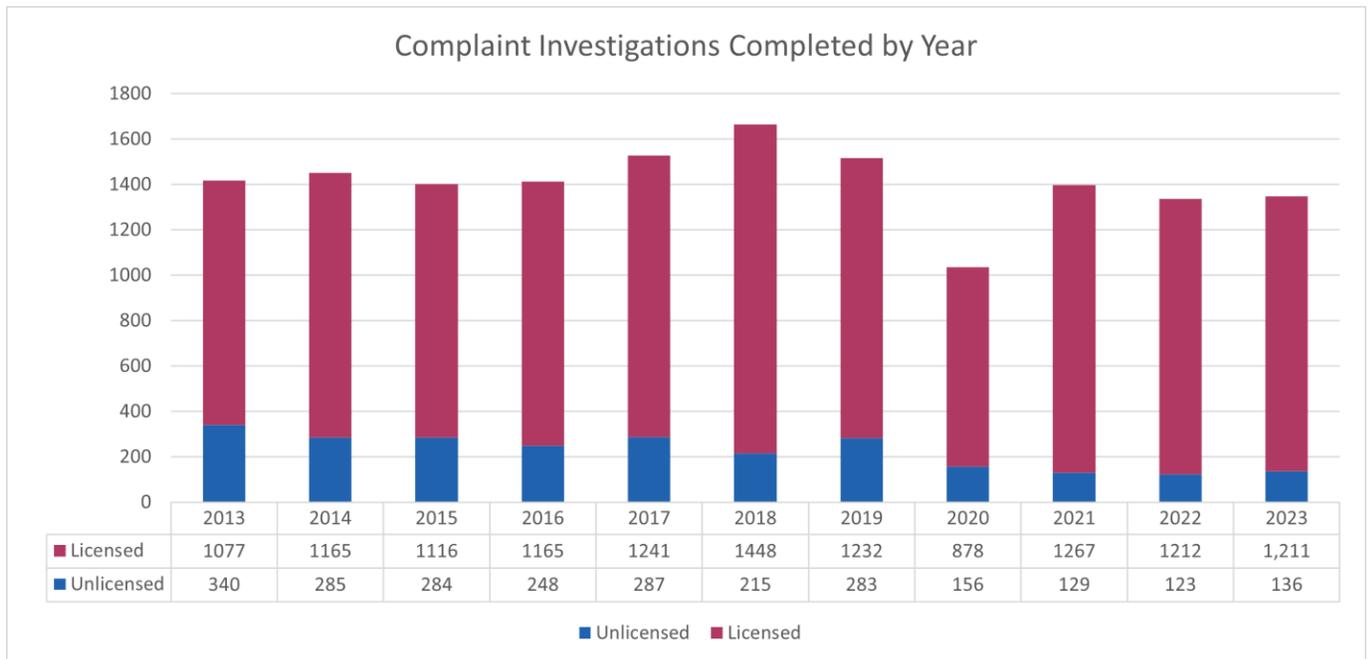
BECR received 1,434 complaints concerning licensed child care centers in 2023. This compares to 1,212 complaints in 2022, an increase of 15% between 2022 and 2023.

In 2023, BECR substantiated 496 complaints regarding licensed child care, while 715 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 137 complaints alleging unlicensed child care in 2023. BECR investigated and closed 136 of these complaints, with 81 unsubstantiated and 55 substantiated.

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

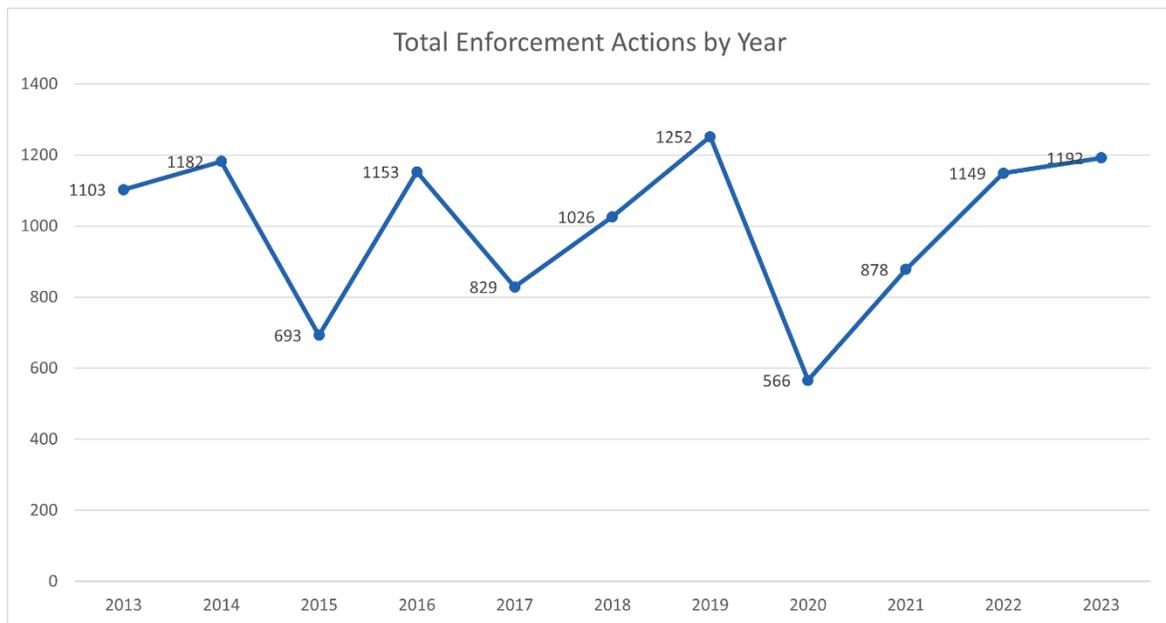
	Received	Closed	Substantiated	Unsubstantiated
Unlicensed Complaints	137	136	55 (40%)	81 (60%)
Licensed Complaints	1,160	1,211	496 (41%)	715 (59%)



## 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 2023, there were 1,192 enforcement actions. The following two charts show the total number of licensing enforcement actions since 2013 and the types of enforcement actions issued in 2023.



<b>Licensing Enforcements Issued in 2023</b>	
Orders/Stop Operating Orders	404
Warning Letters	348
Forfeitures/Direct Forfeitures	232
Revocations	175
Second Probationary License Due to Noncompliance	15
Denials	16
Summary/Temporary Suspensions	2
<b>TOTAL</b>	<b>1,192</b>

## Most Frequently Cited Licensed Child Care Rule Violations

In 2023, the top five most frequently cited rule violations in **licensed family child care centers** were:

- Current, Accurate Daily Attendance Record
- Biennial Training – Child Abuse & Neglect
- Emergency Plans – Practice
- Access to Materials Potentially Harmful to Children
- Continuation License – Application Materials Submission

In 2023, the top five most frequently cited rule violations in **licensed group child care centers** were:

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

In 2023, the top five most frequently cited rule violations in **licensed day camps** were:

- Staff File – Background Check Results
- License Continuation – Time Frame to Submit Materials
- Cardiopulmonary Resuscitation Training
- Medication Administration – Parental Authorization
- Staff File – Personal Information

**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 2023.

## 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.

For the purposes of child care regulation, the Department has defined “serious injury” further, 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 this definition, there were 1,307 serious injuries in licensed, public school-operated programs, and certified child care centers during 2023. During the same year, there was one death in a licensed group child care center and two deaths in unregulated child care programs.

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

	Serious Injuries	Deaths	Substantiated Findings of Child Abuse and Neglect
Licensed Family	28	0	1
Licensed Group	1230	1	18
Licensed Day Camps	31	0	0
Public School-Operated Programs	18	0	0
Unregulated	Data not available*	2	3
<b>TOTAL</b>	1,307	3	22

\*The Department of Children and Families does not have the authority to investigate serious injuries that occur in unregulated child care programs.

## Number and Capacity of Certified Child Care Centers

As of December 31, 2023, there were 518 certified family child care providers. This is an increase from 494 providers in 2022. An estimated 4,040 children were served in certified child care in 2023.

The following table shows the number of certified child care centers and estimated number of children enrolled in certified care in 2023.

	<b>Total No. of Providers</b>	<b>Maximum Group Size</b>	<b>Allowable Number of Children Under the Age of 7</b>	<b>Estimated Number of Enrolled Children*</b>
Certified Family	518	6	3	4,040

\* 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 1,586 monitoring activities of certified centers in 2023 to monitor, provide technical assistance, verify compliance and investigate complaints. Certified providers must receive at least one unannounced monitoring visit each year. Additionally, certifiers completed 339 reviews of programs.

In addition to the 1,586 monitoring activities certified centers in 2023, certifiers attempted 323 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 2023, by reason type.

<b>Purpose of the Visit</b>	<b>Number</b>
Annual Visit/Monitoring/294 Verification/Other Contact	629
Desk Review/Off Site Record Review/No Site Visit	149
Initial Provider Visit	189
Re-Certification Visit	166
Attempted Visit	323
Complaint Visit	51
Relocation Visit	56
Expired Re-Certification Visit	7
Technical Assistance Visit	12
Vehicle Alarm Check	4
<b>TOTAL</b>	<b>1,586</b>

The following table shows the enforcement actions issued to certified programs in 2023, by enforcement type.

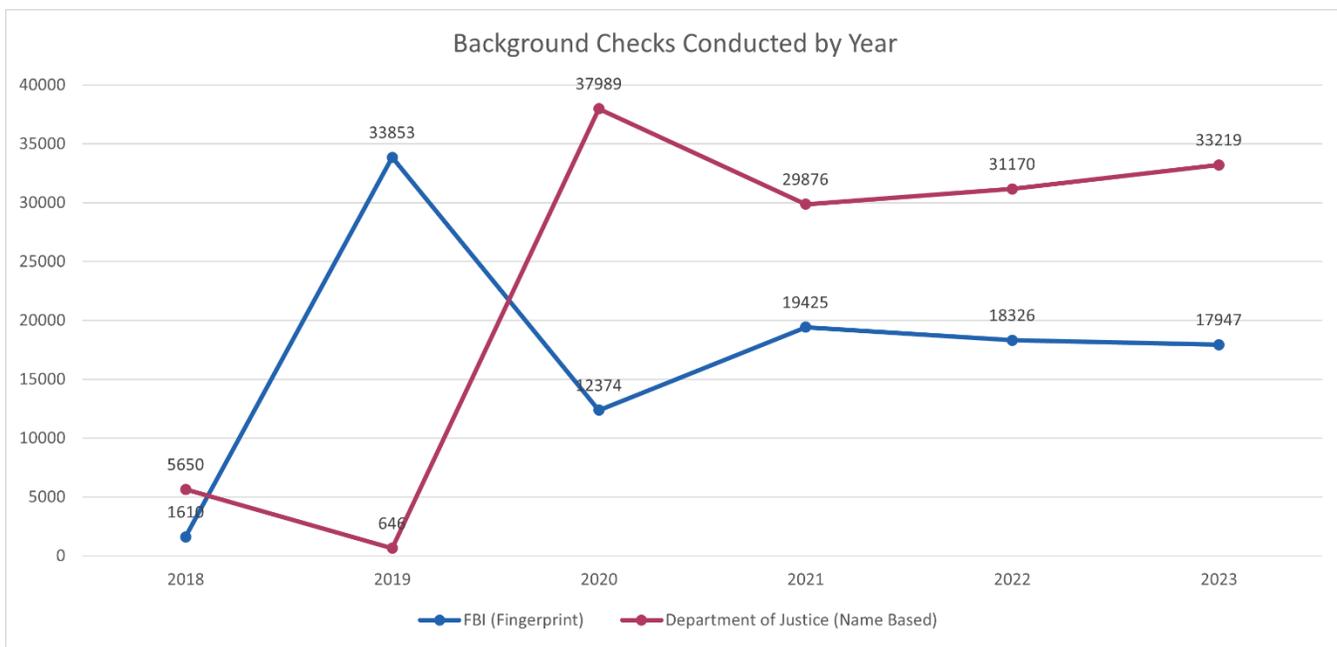
<b>Certification Enforcements Issued in 2023</b>	
Warning Letters	78
Revocations	22
Suspensions	24
Denials	8
<b>TOTAL</b>	<b>132</b>

### 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 federal fingerprint 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 2023

During 2023, the CBU completed 17,947 Federal Bureau of Investigation fingerprint background checks and 33,219 Wisconsin Department of Justice name-based background checks. The CBU issued enforcements to 98 child care programs as a result of noncompliance with background check requirements.



## Attachment A

## Twenty Most Frequently Licensing Rule Violations – 2023

Violation Code	Description	Total
251.05(2)(a)3.a.	STAFF RECORD - PHYSICAL EXAMINATION	476
251.05(3)(c)	CARDIOPULMONARY RESUSCITATION TRAINING	444
251.05(2)(a)2.	STAFF RECORD - COMPLETED BACKGROUND CHECK	438
251.05(3)(cm)	CHILD ABUSE AND NEGLECT - BIENNIAL TRAINING	370
251.055(1)(f)	CHILD TRACKING PROCEDURE	357
251.055(1)(a)	SUPERVISION OF CHILDREN	314
251.07(6)(dm)4.	MEDICAL LOG - REVIEWING INJURY RECORDS	269
250.04(6)(b)	CURRENT, ACCURATE DAILY ATTENDANCE RECORD	235
251.11(4)(b)	CONTINUATION LICENSE - APPLICATION MATERIALS SUBMISSION	234
251.06(2)(gm)	PREMISES - WELL DRAINED, CLEAN (IN GOOD REPAIR)	232
250.05(3)(fm)	BIENNIAL TRAINING - CHILD ABUSE AND NEGLECT	228
251.06(2)(d)	ACCESS TO MATERIALS POTENTIALLY HARMFUL TO CHILDREN	225
251.09(1)(c)	INFANT AND TODDLER - DOCUMENTING CHANGES IN DEVELOPMENT	224
251.05(2)(a)6.	STAFF RECORD - DAYS AND HOURS WORKED	214
251.05(3)(b)	SHAKEN BABY SYNDROME PREVENTION TRAINING (ABUSIVE HEAD TRAUMA PREVENTION TRAINING)	199
251.04(6)(b)	CURRENT, ACCURATE DAILY ATTENDANCE RECORD	198
251.04(6)(a)1.	CHILD RECORD - ENROLLMENT INFORMATION	197
250.06(3)(b)	EMERGENCY PLANS – PRACTICE	192
251.06(2)(i)	DETERIORATING PAINT	187
250.06(2)(c)	ACCESS TO MATERIALS POTENTIALLY HARMFUL TO CHILDREN	186