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Division of Early Care and Education
Bureau of Early Care Regulation

ANNUAL REPORT: CHILD CARE LICENSING AND CERTIFICATION ACTIVITY January – December 2017

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 and license exempt child care facilities. In addition, BECR monitors certified child care providers in Milwaukee County as well as delivers training and consultation to certifiers employed by counties, tribes and subcontracted agencies in the balance of the state.

Types of regulated child care include:

- Certified 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 their 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)
- Day Camp (seasonal program for 4 or more children ages 3 and up)

Together, licensed, certified and license exempt child care programs served nearly 238,000 children in Wisconsin in 2017.

The following highlights some of BECR's accomplishments in 2017:

- Over 8,700 on-site visits and desk reviews were conducted in 2017 to monitor over 4,000 licensed centers. Licensing staff verified compliance with administrative rules and provided technical assistance, completed over 1,500 complaint investigations of licensed and unlicensed programs, and reviewed and closed 1,600 self-reported incidents and injuries involving a child in licensed care.
- BECR issued over 800 enforcement actions in 2017.
- Over 750 certified child care providers received nearly 1,500 on-site visits and desk reviews by county certifiers and the BECR Southeastern Regional Office licensing staff in 2017.
- In 2017, licensing specialists visited nearly 200 license exempt public school programs to explain the new monitoring process and offer technical assistance in preparation for annual monitoring of these programs by BECR staff. These programs served approximately 13,000 children last year.

- BECR licensing specialists reviewed over 1.3 million rules at licensed child care centers in 2017. Ninety eight percent of the rules reviewed by BECR were met by licensed centers, with only two percent resulting in a violation.
- Bureau of Early Care Regulation has been implementing new requirements resulting from the 2014 reauthorization of the federal Child Care and Development Block Grant. The block grant is used by states and tribes to administer early childhood programs including Wisconsin Shares, child care quality initiatives, and regulation. The reauthorization resulted in several initiatives that impact regulated child care including required annual health and safety rule monitoring, revised caregiver background check requirements, monitoring of license exempt programs, emergency planning, new training requirements focusing on health and safety, and pre-service and continuing education for licensed and certified providers.
- BECR continues its ongoing collaboration with the Bureau of Operations and Planning to conduct customer satisfaction surveys to gather feedback from child care license applicants, current licensees and closed providers. In 2017, 358 child care applicants and licensees completed the voluntary survey. The results of the survey speak positively about the quality of the services BECR delivers. Over ninety percent of respondents indicated that their licensing specialist was professional and courteous, and clearly explained the purpose and results of the visit. Ninety percent of the applicants responding to the survey indicated that the assistance provided by BECR was helpful or extremely helpful.
- Beginning in 2017, computer-based training for licensing staff is now being offered on the DCF training website.
- The Caregiver Background Unit grew this past year, adding 10 new staff positions to assist in processing and reviewing background checks for licensed providers. During 2017, the CBU completed over 5,000 Department of Justice background checks and over 400 FBI checks for licensed providers. By the fall of 2018, certified providers and child care employees will be added to the CBU caseload. To prepare for this additional workload, CBU staff successfully completed two Lean Government events.

The remainder of this report provides information on numbers of regulated child care centers, capacity, children served, complaint and enforcement activity, and caregiver background checks.

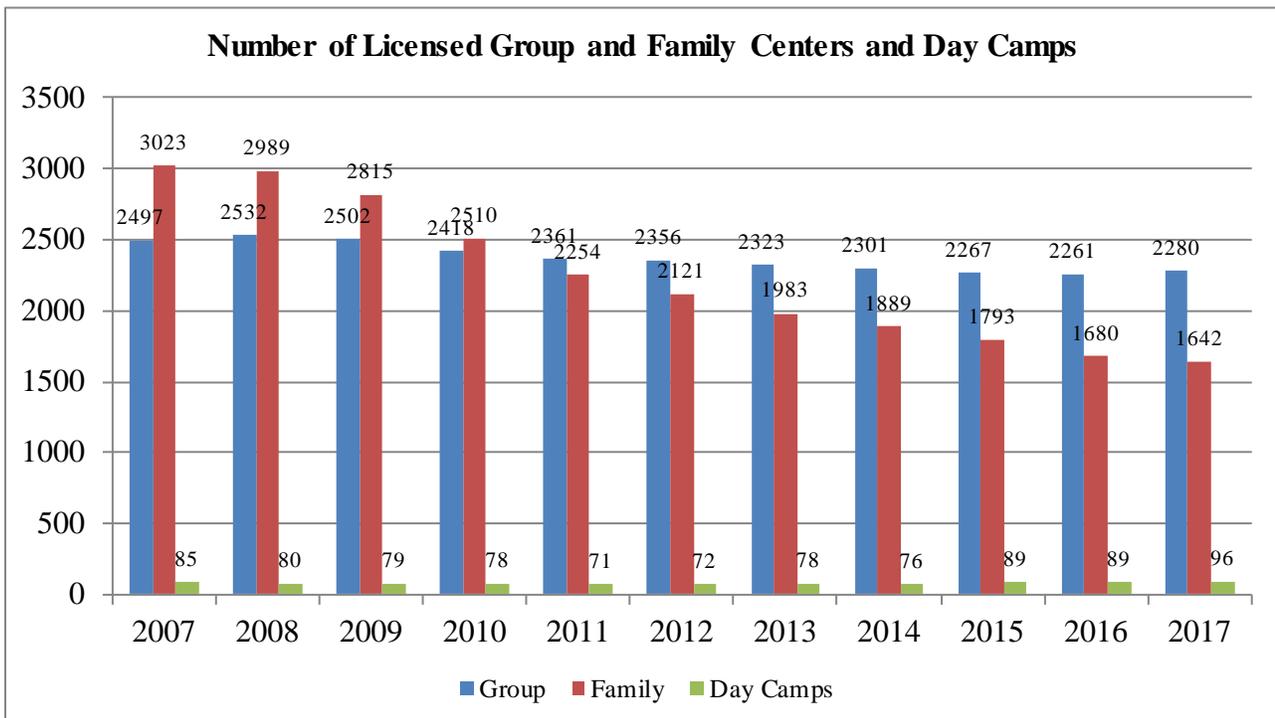
Licensed Providers, Capacity and Estimated Enrolled Children

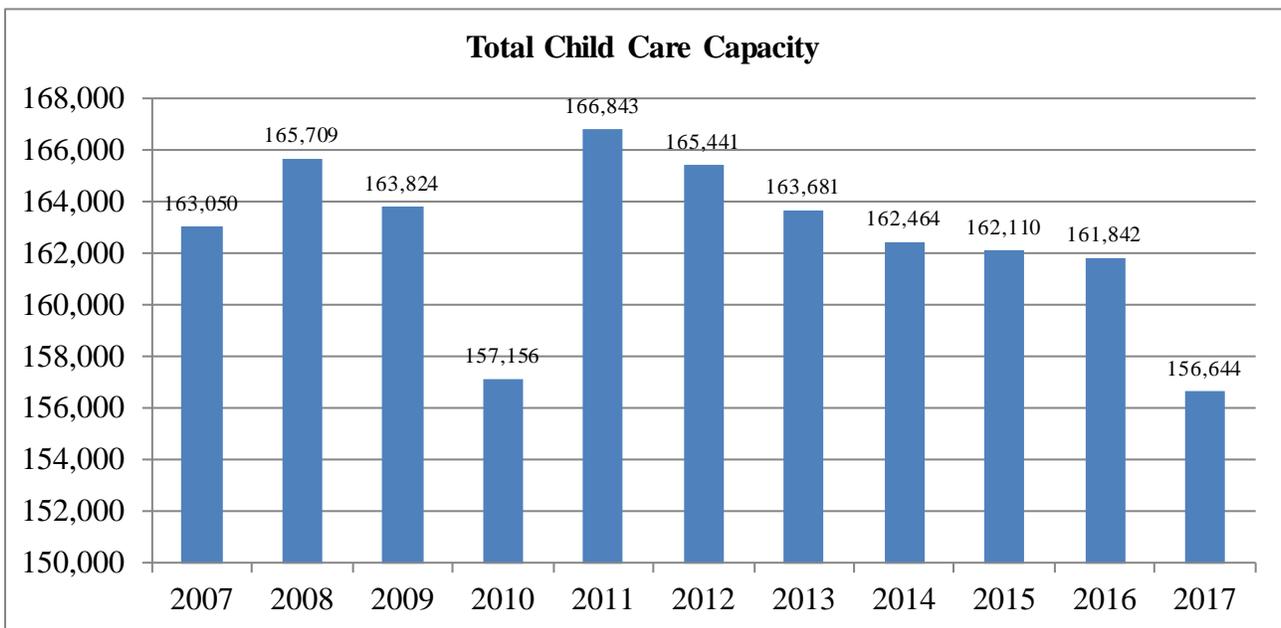
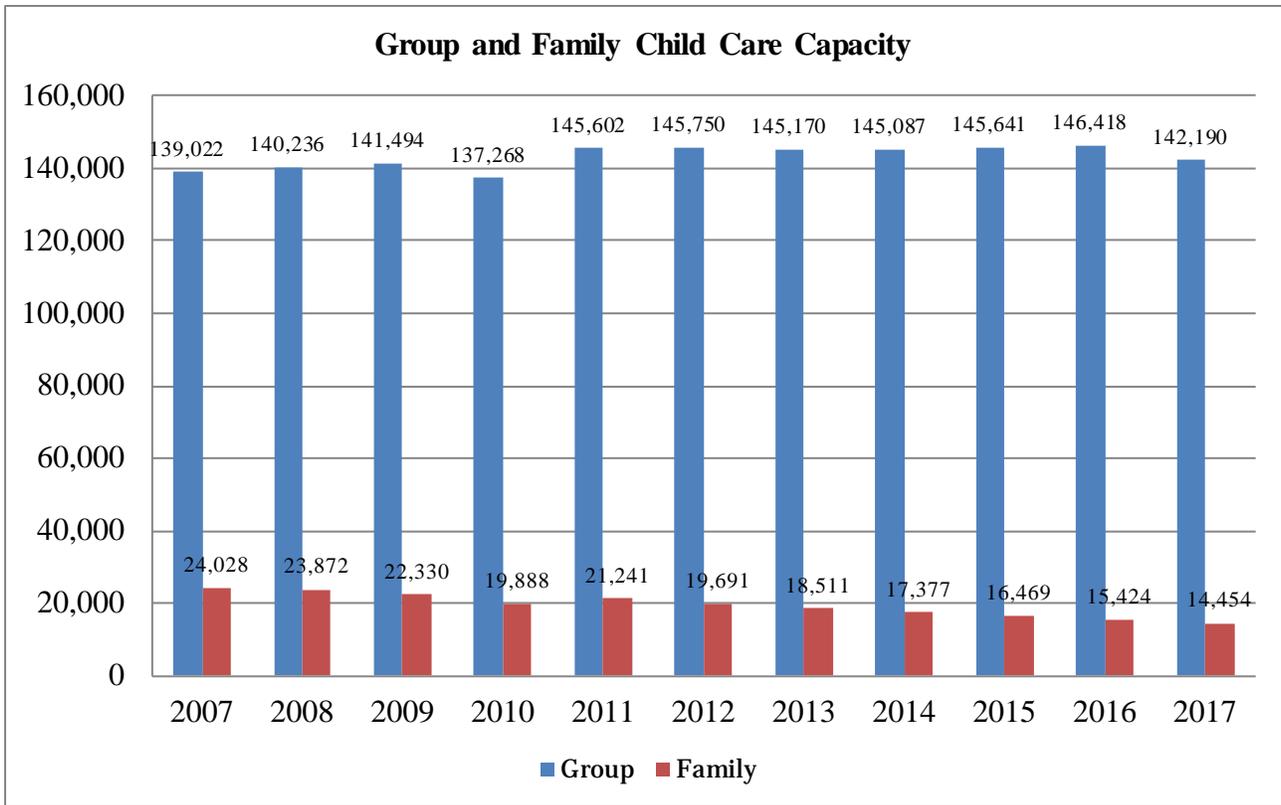
As of December 31, 2017, there were 4,018 licensed child care centers and day camps in Wisconsin. Of the 4,018 licensed centers, 57% (2,280) were licensed group centers, 41% (1,642) were licensed family centers and (2%) 96 were licensed day camps. The overall number of licensed child care facilities operating in 2017 was about the same as the number operating in 2016 (4,030). While the number of group child care centers remained the same between 2016 and 2017, the number of family child care centers dropped by 2% during this same period. The number of day camps increased by 8% during this period.

An estimated 220,259 children were served in licensed child care centers and day camps in 2017. The following charts show the number of licensed providers and capacity in 2017, 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	2,280	133,282	8,908	189,113
Licensed Family	1,642	12,470	1,984	19,223
Licensed Day Camps	96	8,965	0	11,923
TOTAL	4,018	154,717	10,892	220,259

***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.*





License Exempt Public School Programs

Wisconsin's license exempt public school 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 the applicable child care licensing standards governing the operation of licensed group child care centers. BECR is the designated state agency responsible for monitoring license exempt programs receiving Wisconsin Shares. As of December 31, 2017, there were 191 license exempt programs subject to annual monitoring by BECR licensing specialists. These programs had a capacity of 9,808 and served approximately 13,044 children in 2017.

Serious Injuries and Deaths in Child Care

There were 1,236 serious injuries (injuries that required medical attention) in licensed child care centers during 2017. There were 1,153 injuries in group child care, 61 injuries in family child care, and 22 in day camps. During the same year, there were four deaths in licensed child care centers.

There were seven serious injuries in license exempt programs (public school programs and certified centers) in 2017. There were no deaths in license exempt care in 2017.

Six referrals for child protective services investigation resulted in a substantiated finding of child abuse or neglect in 2017. Two of these substantiations occurred while the child was in the care of a licensed center.

New Applications for Child Care Licenses

During 2017, the BECR regional office staff received and processed 401 new applications for licensure. Three hundred and eighty five new applications (96%) were approved during this time period.

Licensing Monitoring Activities

There are 54 BECR licensing specialists (51.3 full-time equivalent) responsible for monitoring licensed centers, license exempt programs and certified providers in Milwaukee County. Each licensing specialist's caseload includes a mix of providers. As of December of 2017, the average caseload is 86.3 child care programs per licensing 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.

Each year, licensing specialists complete a review of all health and safety rules identified in ten areas designated critical to the protection of children in care. Over a two-year period, all applicable administrative rules must be reviewed for each center. In 2017, BECR licensing specialists reviewed over 1.3 million administrative rules at licensed child care facilities. Approximately 98% of the monitored rules were met, with only 2% of monitored rules resulting in a rule violation.

BECR conducted 7,617 child care visits and 1,089 desk reviews in 2017 to monitor, provide technical assistance, verify compliance, review accident/incident reports and investigate complaints. This compares to 9,141 visits/reviews in 2016. In addition, licensing specialists attempted 542 visits in which they were unable to gain entry during the center’s licensed hours of operation.

Licensing specialists made 267 visits to unregulated child care locations in 2017, in response to allegations of unlicensed care.

The following table shows the number of visits/reviews of child care providers in 2017, by reason type.

Purpose of the Visit/Review	Number
Complaint Regarding Licensed Center	384
Complaint Regarding Unlicensed Center	267
Enforcement Action Compliance Verification	134
Initial Licensing Study	684
License Amendment	140
Monitoring for Licensing	5,390
Pre-licensing Technical Assistance	15
Technical Assistance for Licensed Facility	317
Verification of CFS-294	286
No Site Visit	1,089
Total Number of Visits/Reviews	8,706

Licensing Complaints

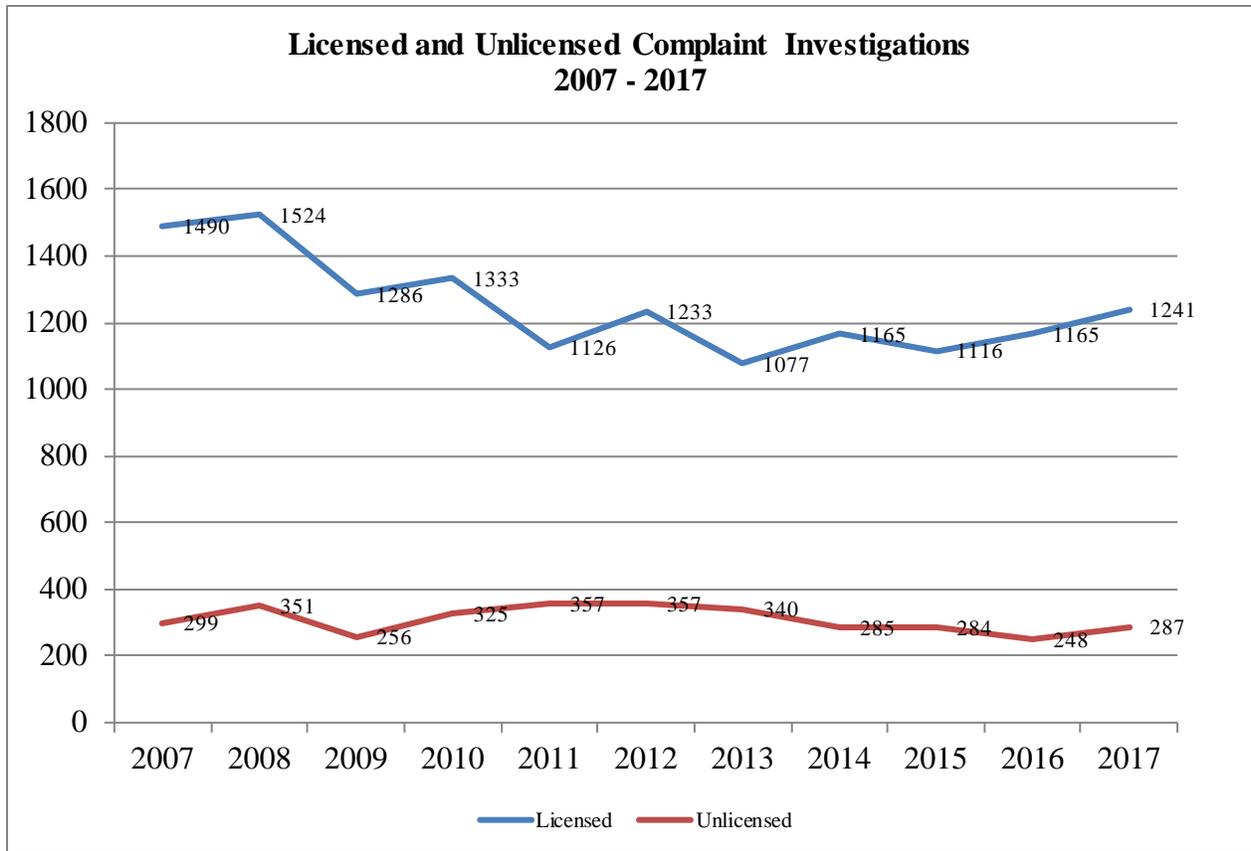
BECR received 1,241 complaints concerning licensed child care centers in 2017. This compares to 1,165 complaints in 2016, an increase of 6% between 2016 and 2017.

In 2017, 511 complaints regarding licensed child care were substantiated while 705 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 287 complaints alleging unlicensed child care in 2017. There were 98 unlicensed complaints that were substantiated while 190 complaints were unsubstantiated.

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

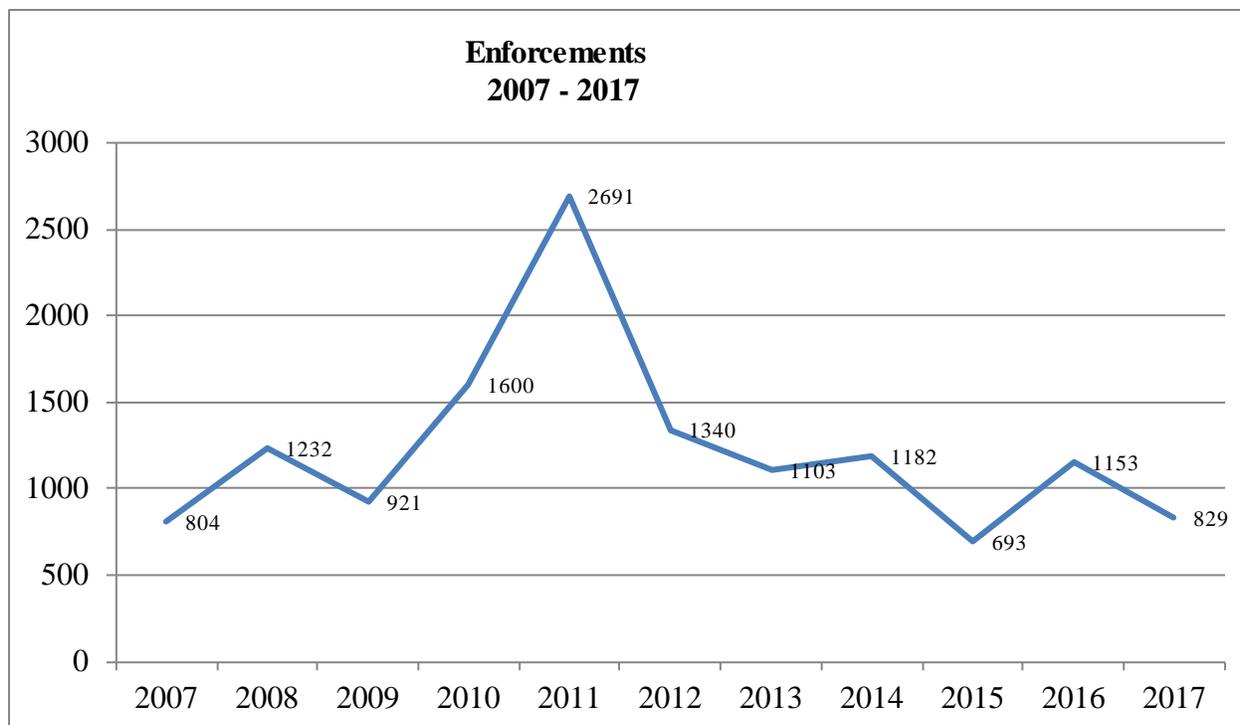
	Received	Closed	Substantiated	Unsubstantiated
Licensed Complaints	1,241	1,216	511	705
Unlicensed Complaints	287	288	98	190



Enforcement Activity with Licensed Centers

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 is 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 2017, there were 829 enforcement actions. The following two charts show total number of licensing enforcement actions since 2007 and the types of enforcement actions issued in 2017.



Note: Warning Letters issued to licensees for failing to submit an annual Background Information Disclosure form, a new statutory requirement at that time, caused the significant spike in 2011.

Licensing Enforcements Issued in 2017	
Denials	22
Forfeitures/Direct Forfeitures	225
Orders	266
Revocations	68
Summary Suspensions	4
Warning Letters	221
Second Probationary License Due to Noncompliance	23
TOTAL	829

Most Frequently Cited Licensed Child Care Rule Violations

In 2017, the top five most frequently cited rule violations in **licensed family child care centers** were violations related to the following:

- Current, Accurate Daily Attendance Record;
- Child Record – Enrollment & Health History Forms;
- Biennial Training – Child Abuse and Neglect
- Access to Materials Potentially Harmful to Children;
- Practice of Written Emergency Plans;

In 2017, the top five most frequently cited rule violations in **licensed group child care centers** were violations related to the following:

- Cardiopulmonary Resuscitation Training;
- Child Tracking Procedure;
- Biennial Training – Child Abuse and Neglect;
- Staff File – Caregiver Background Check Results;
- Compliance with Laws;

In 2017, the top five most frequently cited rule violations in **day camps** were violations related to the following:

- Cardiopulmonary Resuscitation Training;
- Staff File – Caregiver Background Check Results;
- Medication Administration – Parental Authorization;
- Staff File – Pre-Camp Training;
- Recording and Reviewing the Record of Injuries;

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 2017.

Number and Capacity of Certified Child Care Centers

As of December 31, 2017, there were 748 certified family providers and 4 certified school-age programs. This is an 8% decrease in certified providers, compared to 2016. An estimated 4,698 children were served in certified child care in 2017. The following table shows the number of certified child care centers and estimated number of children enrolled in certified care in 2017.

	Total No. of Providers	Group Size	Children Under the Age of 7	Estimated Number of Enrolled Children*
Certified Family	748	4,402	2,231	4,488
Certified School Age	4	158	0	210
TOTAL	752	4,560	2,231	4,698

** The estimated number of enrolled children in certified family care is calculated by multiplying the number of providers by 6. The estimated number of enrolled children in **certified school-age care** is calculated by multiplying capacity by 1.33. Due to part-time care, slots are often filled by more than one child.*

Certified Provider Monitoring

Monitoring of certified family child care and certified school-age 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 1,396 on-site visits of certified centers in 2017 to monitor, provide technical assistance, verify compliance and investigate complaints. In addition, certifiers conducted 97 desk reviews or other contacts with certified programs. All certified providers must be visited once every two years in order to renew their certification and all certification agencies completed at least one required visit to certified providers during the 2015–2017 period. Beginning in November of 2017, all certified providers must receive one unannounced monitoring visit each year.

In addition to 1,493 visits/reviews of certified centers in 2017, certifiers made 248 attempted 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 2017, by reason type.

Purpose of the Visit	Number
Annual Visit/Monitoring/294 Verification/Other	825
Complaint Visit	29
Expired Re-Certification Visit	16
Initial Provider Visit	214
Re-Certification Visit	239
Relocation Visit	31
Technical Assistance Visit	42
No Site Visit/Other Contact	97
TOTAL	1,493

The following table shows the enforcement actions issued to certified programs in 2017.

Certification Enforcements Issued in 2017	
Denials	18
Revocations	14
Suspensions	16
Warning Letters	28
TOTAL	76

Caregiver Background Unit Activities

During 2017, the BECR Caregiver Background Unit (CBU) completed 5,051 Department of Justice background checks and 439 FBI checks for licensed providers.

The Division of Early Care and Education has more information regarding the Division's child care activities in the 2017 annual summary located here: <https://dcf.wisconsin.gov/files/childcare/pdf/2017-dece-annual-report.pdf>

Attachment

Twenty Most Frequently Cited Family Child Care Violations – 2017

Violation Code	Description	Total
250.04(6)(b)	CURRENT, ACCURATE DAILY ATTENDANCE RECORD	267
250.04(6)(a)1.	CHILD RECORD - ENROLLMENT & HEALTH HISTORY FORMS	264
250.04(8)(b)	BIENNIAL TRAINING - CHILD ABUSE & NEGLECT	231
250.06(2)(c)	ACCESS TO MATERIALS POTENTIALLY HARMFUL TO CHILDREN	194
250.06(3)	PRACTICE OF WRITTEN EMERGENCY PLANS	192
250.05(1)(b)5.	PROVIDER TRAINING - CARDIOPULMONARY RESUSCITATION	173
250.11(5)(b)	CONTINUATION LICENSE - APPLICATION MATERIALS SUBMISSION DATE	160
250.07(6)(L)1.	HEALTH EXAM - CHILD UNDER AGE 2	152
250.04(6)(a)4.	CHILD RECORD - IMMUNIZATION HISTORY, PHYSICAL EXAM	143
250.04(5)(d)	STAFF FILE - DAYS, HOURS WORKED	136
250.06(2)(e)	POTENTIAL SOURCE OF HARM ON PREMISES	133
250.07(6)(L)2.	HEALTH EXAM - CHILD AGE OVER AGE 2	127
250.06(4)(a)	SMOKE DETECTORS	125
250.06(2)(a)	ELECTRICAL OR HOT SURFACE PROTECTION	106
250.05(1)(b)4.	PROVIDER TRAINING - CONTINUING EDUCATION	102
250.06(5)	PREMISES, FURNISHINGS, EQUIPMENT - CONDITION & REPAIR	97
250.06(2)(k)	DETERIORATING OR TOXIC PAINT	96
250.04(2)(i)	MONITORING RESULTS, STIPULATIONS, CONDITIONS, EXCEPTIONS POSTED	81
250.04(2)(a)	COMPLIANCE WITH LAWS	76
250.04(5)(e)	STAFF FILE - PHYSICAL EXAMINATION - FORM	75

Twenty Most Frequently Cited Group Child Care Violations – 2017

Violation Code	Description	Total
251.05(1)(c)	CARDIOPULMONARY RESUSCITATION TRAINING	358
251.05(3)(f)	CHILD TRACKING PROCEDURE	337
251.04(8)(b)	BIENNIAL TRAINING - CHILD ABUSE & NEGLECT	323
251.04(5)(a)3.	STAFF FILE - CAREGIVER BACKGROUND CHECK RESULTS	318
251.04(2)(a)	COMPLIANCE WITH LAWS	313
251.04(5)(a)4.	STAFF FILE - PHYSICAL EXAMINATION REPORT	309
251.04(5)(a)5.	STAFF FILE - REGISTRY CERTIFICATE, EDUCATIONAL QUALIFICATIONS	305
251.07(6)(j)9.	REVIEWING INJURY RECORDS	305
251.09(1)(c)	INFANT & TODDLER - DOCUMENTING CHANGES IN DEVELOPMENT	304
251.04(6)(b)	CURRENT, ACCURATE DAILY ATTENDANCE RECORD	285
251.04(6)(a)1.	CHILD RECORD - ENROLLMENT INFORMATION	278
251.06(2)(d)	ACCESS TO MATERIALS POTENTIALLY HARMFUL TO CHILDREN	266
251.05(3)(c)	CLOSE SUPERVISION OF CHILDREN	243
251.06(9)(d)2.a.	FOOD STORAGE - DRY FOOD	230
251.06(2)(a)	POTENTIAL SOURCE OF HARM ON PREMISES	229
251.06(5)(b)1.	DETERIORATING PAINT	210
251.11(4)(b)	CONTINUATION LICENSE - APPLICATION MATERIALS SUBMISSION	203
251.06(5)(a)	CONDITION OF PREMISES	202
251.06(3)(c)	EMERGENCIES - RECORD OF FIRE / TORNADO DRILLS	200
251.07(6)(k)1.	HEALTH EXAMINATION - CHILDREN UNDER AGE 2	194

Twenty Most Frequently Cited Day Camp Violations – 2017

Violation Code	Description	Total
252.42(2)(e)	CARDIOPULMONARY RESUSCITATION TRAINING	18
252.41(3)(a)4.	STAFF FILE - CAREGIVER BACKGROUND CHECK RESULTS	18
252.44(6)(e)1.a.	MEDICATION ADMINISTRATION - PARENTAL AUTHORIZATION	16
252.41(3)(a)5.	STAFF FILE - PRE-CAMP TRAINING	16
252.44(6)(f)2.	RECORDING & REVIEWING THE RECORD OF INJURIES	15
252.41(4)(a)6.	CHILD RECORD - HEALTH HISTORY	14
252.44(6)(e)1.b.	MEDICATION ADMINISTRATION - CONTAINER & LABEL	13
252.42(3)(g)	CHILD TRACKING PROCEDURE	13
252.41(4)(a)1.a.	CHILD RECORD - ENROLLMENT INFORMATION	12
252.43(3)(a)5.	GARBAGE CONTAINERS, STORAGE & DISPOSAL	11
252.43(2)(a)5.	POTENTIAL SOURCE OF HARM OR CONDITION OF PREMISES	11
252.41(1)(L)	MONITORING RESULTS, STIPULATIONS, CONDITIONS, EXCEPTIONS POSTED	11
252.41(3)(a)3.	STAFF FILE - BACKGROUND INFORMATION DISCLOSURE FORM	10
252.44(6)(h)	RECORD OF IMMUNIZATIONS	9
252.44(6)(e)4.	MEDICATION STORAGE - CURRENT AUTHORIZATION	9
252.43(2)(a)6.	ACCESSIBLE TOXIC SUBSTANCES	9
252.05(1)(b)2.	LICENSE CONTINUATION - TIME FRAME TO SUBMIT MATERIALS	9
252.41(3)(a)1.	STAFF FILE - STAFF INFORMATION	8
252.41(4)(b)2.	MEDICAL LOG - REQUIREMENTS	6
252.41(3)(b)	STAFF EMERGENCY CONTACT INFORMATION AT BASE CAMP	6