

Child Care Licensing Rule Revision

April 2020

with updates from October 2020



Most Recent Rule Revisions

What You Need to Know

- Emergency Rule Effective: September 30, 2019
- Permanent Rule Effective: April 1, 2020
- Minor technical changes: August 1, 2020
- Rules were changed in DCF 13, 250, 251, and 252 affecting ALL LICENSED CHILD CARE
- New manuals are available online at:
<https://dcf.wisconsin.gov/index.php/cclicensing/rules>
- Printed manuals are available for purchase
- Commentary manuals will be available online Fall 2020

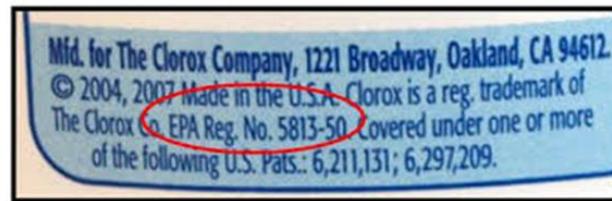


New Rules: In Your Center

Indoor Space



- All disinfectants and sanitizers must be registered with the U.S. EPA¹
 - For more information on the EPA's recommended sanitizers and disinfectants in early care and education settings: <https://www.epa.gov/schools/green-cleaning-sanitizing-and-disinfecting-toolkit-early-care-and-education>



ACTIVE INGREDIENT:
Azadirachtin

Inert Ingredients:

TOTAL

EPA Reg. No. 5481-550 Contains 0.10 lb. (45.4 grams) of azadir

KEEP OUT OF REACH OF
CAUTION - CU

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(if you do not understand the label, find someone t

¹ DCF 250.07(6)(h)1.; 250.09(4)(b); 251.06(9)(b)3.c.; 251.06(9)(b)5.; 251.06(1)(dm)2.; 251.07(6)(g)2.; 251.09(4)(a)3.; and 252.44(6)(j)3



New Rules: In Your Center

Indoor Space



- The emergency phone number list must be in a location known to all providers (there is no longer any requirement to post it “next to the phone” due to the rise in cell phone usage)²
- Items required to be posted must be posted in areas visible to parents³
- Any noncompliance statements must be visibly posted until all violations have been verified as corrected by your licensing specialist⁴
- Cleaning aids need to be clean, buckets emptied, and stored in areas inaccessible to children (there is no requirement to keep them out of food prep/storage areas)⁵
- Children may be in care for up to 14 hours (to accommodate families working non-traditional work hours and those who may also travel)⁶

² DCF 250.06(2)(d); 251.06(2)(f); 252.43(2)(e)

⁴ DCF 250.04(2)(i)1.a.; 251.04(2)(L)1.a.; 252.41(1)(L)1.a.

³ DCF 250.04(2)(i)2.; 251.04(2)(L)2.; 252.41(1)(L)2.

⁵ DCF 251.06(2)(m)

⁶ DCF 250.055(1)(d); 251.055(1)(e); 252.425(1)(g)



New Rules: In Your Center

Outdoor Space



- Structures, such as playground equipment, railings, decks, and porches accessible to children, that have been constructed with CCA treated lumber shall be sealed with an exterior oil-based sealant or stain at least every 2 years⁷
 - Need help identifying CCA treated lumber? https://www.cpsc.gov/s3fs-public/270_0.pdf
- The “enclosure hazard” language regarding gaps in the enclosure greater than 4 inches has moved from commentary into rule⁸
- All play equipment must be used in accordance with manufacturer’s instructions⁹

⁷ DCF 250.06(11)(b)3.;251.06(11)(b)6.

⁸ DCF 250.06(11)(b)4.;251.06(11)(b)7.

⁹ DCF 250.07(2)(d);251.06(11)(bm)1.;251.07(3)(a)5.;252.44(3)(b)4.



New Rules: In Your Center

Sleep Spaces



- Padded mats no longer have a 2” thickness requirement¹⁰
- No soft or loose materials may be inside or draped on infant cribs with children less than 1 year of age (no blankets, no bumpers, no pillows, no stuffed animals, etc.)¹¹
 - Blanket swaddling is prohibited
 - Wearable sleep garments may be used according to manufacturer’s guidelines, including wearable swaddles
- Blankets used with toddlers over the age of 1 in cribs must be tucked tightly under the mattress and kept away from the toddler’s mouth and nose¹²

¹⁰ DCF 250.07(4)(c); 251.07(4)(cm); 251.07(6)(c)3.

¹¹ DCF 250.09(1)(c)4.; 251.09(1)(L)

¹² DCF 250.09(1)(c)3.; 251.09(1)(k)



New Rules: In Your Center

Kitchens and Cafeterias



- All licensed child care programs must follow current USDA food program guidelines¹³
 - CACFP Meal Pattern chart: https://dpi.wi.gov/sites/default/files/imce/community-nutrition/pdf/gm_12c_meal.pdf
 - CACFP Menu Checklist: https://dpi.wi.gov/sites/default/files/imce/community-nutrition/pdf/menu_checklist.pdf
 - Menu planning guide: <https://dpi.wi.gov/sites/default/files/imce/community-nutrition/pdf/menu-planning-guide-web.pdf>
- Leftover food that is frozen must be used within 6 months¹⁴
- Perishable food* must be maintained under 40° or above 140°¹⁵

*Custard-filled and cream-filled pastries, milk and milk products, meat, fish, shellfish, gravy, poultry stuffing and sauces, dressings, salads containing meat, fish, eggs, milk or milk products, and any other food or food product likely to spoil quickly if not kept at the proper temperature

¹³ DCF 250.06(9)(h); 250.09(3)(c); 251.07(5)(a)4.; 251.09(3)(a)3.; 252.44(5)(e);

¹⁵ DCF 250.06(9)(d); 251.06(9)(d)1.a.; 251.06(9)(f)4.; 252.43(3m)(e); 252.43(3m)(h)

¹⁴ DCF 250.06(9)(e); 251.06(9)(f)3.; 252.42(3m)(i)



New Rules: In Your Policies

Communication



New Policies

- Reporting Requirements
 - Initial verbal or written report within 24 hours, full written report within 5 days¹⁶
 - Any injury or incident during care when a child is evaluated by a medical professional (Note: this includes any medical evaluation related to a pre-existing condition, such as a severe asthma attack, epileptic or febrile seizures, anaphylactic reactions, etc.)¹⁷
 - Any death of a child in care¹⁸
 - Any animal-related injuries (wild and domestic)¹⁹
 - Any damage to the premises or loss of utility services²⁰

¹⁶ DCF 250.04(3); 251.04(3); 252.41(2)

¹⁹ DCF 250.04(3)(ar); 251.04(3)(ar); 252.41(2)(ar)

¹⁷ DCF 250.04(3)(a); 251.04(3)(a); 252.41(2)(a) ¹⁸ DCF 250.04(3)(am); 251.04(3)(am); 252.41(2)(am)

²⁰ DCF 250.04(3)(b); 251.04(3)(b); 252.41(2)(b)



New Rules: In Your Policies

Communication



New Policies

- Parental notifications must be IMMEDIATE for the following:²¹
 - Head injuries (any bump, blow, or jolt to the head)
 - Seizures
 - Consumption of incorrect breastmilk
 - Consumption of food or drink that may contain a child's known allergen
 - Consumption or contact with poisonous materials
 - Administration of incorrect medication

²¹ DCF 250.04(4)(c)2.; 251.04(4)(a)2.; 252.41(5)(a)



New Rules: In Your Policies

Emergencies



New Policies

- Emergency Preparedness and Response Planning
 - Written plans must include procedures for: ²²
 - Evacuation, relocation, shelter-in-place, and lock down
 - Accommodation of infants and toddlers, and children with disabilities
 - Communication with families
 - Connecting children with their parents if the center is required to evacuate
- Resources are available on the Department's website:
<https://dcf.wisconsin.gov/ccregulation/emergencyprep>



New Rules: In Your Policies

Child Guidance



New Policies

- Positive Child Guidance Policy
 - Purpose: The policy shall be designed to help a child develop self-control, self-esteem, and respect for the rights of others.²³
 - Resources available through the Child Care Information Center for training center staff:
 - <https://dcf.wisconsin.gov/files/ccic/pdf/books/child-guidance.pdf>
 - <https://dcf.wisconsin.gov/files/ccic/pdf/videos/child-guidance.pdf>
- Time outs²⁴
 - Definition: A “time-out” is an interruption of unacceptable behavior by the removal of the child from the situation, not to isolate the child, but to allow the child an opportunity to pause, and with support from the provider, reflect on behavior and gain self-control.
 - Age limit: Used only with children ages 3 years and older
 - Maximum length of time: 3 minutes
 - Resource: <https://dcf.wisconsin.gov/files/ccic/pdf/time-out.pdf>

²³ DCF 250.07(2)(a); 251.07(2)(b); 252.44(2)(a)

²⁴ DCF 250.07(2)(b); 251.07(2)(c); 251.07(2)(d); 252.44(2)(b)



New Rules: In Your Files

Required Documentation



- Registry Certificate
 - If you were qualified as a center director based ONLY on being a Registry Level 12 or Level 14 AND have never been employed as a center director, you are no longer qualified as a director and will need a new Registry certificate by April 1, 2021.²⁵
 - Coupon funding through the Preschool Development Grant (PDG) is available now!
 - Coupon code: PDG2020
 - Free Registry membership and renewal is available as funding allows, but no later than December 31, 2020.
 - For more information on using the coupon code, visit The Registry's website at: <https://the-registry.org/free-membership.html>.
- Registry Website: <http://www.the-registry.org>



New Rules: In Your Files

Required Documentation



- The new staff physical form no longer requires a TB test; the decision to perform a test will be made by the health care provider during the physical.
 - <https://dcf.wisconsin.gov/files/forms/pdf/0054.pdf>
- A Background Check Request form is required for household members 10 years and older, caregiver and non-caregiver employees, and potential household members, caregivers, and non-caregiver employees.²⁶
 - Available in English, Spanish, and Hmong here:
<https://dcf.wisconsin.gov/cclicensing/ccformspubs>
- Documentation of the completed background check that indicates the person is eligible to work in a child care program must be in the staff file.²⁷

²⁶ DCF 250.04(2)(L); 250.04(2)(m); 251.04(2)(n); 251.04(2)(o); 252.41(1)(n); 252.41(1)(o)

²⁷ DCF 250.05(2)(b); 251.05(2)(a)2.; 252.42(1)(a)3.



New Rules: In Your Files

Updated Forms



- ALL FORMS HAVE BEEN UPDATED
- Make sure you print them for use with new staff hired and new children enrolled.
- Forms are available here: <https://dcf.wisconsin.gov/cclicensing/ccformspubs>



New Rules: For Your Staff

CPR Training



- Infant/Child CPR with AED is now required within 3 months after beginning to work with children in care.²⁸
- See DHS's list of all approved vendors:
 - <https://www.dhs.wisconsin.gov/ems/licensing/cpr.htm>
 - Some online vendors have been approved.
 - Be cautious, there are many unapproved online vendors.



New Rules: For Your Staff

Orientation



- New Requirements for Orientation²⁹
 - Emergency preparedness policies
 - Emergencies related to food and allergic reactions
 - Infectious disease control
 - Administration of medication
 - Handling and storage of hazardous materials and disposal of biocontaminants
- Forms
 - Group: <https://dcf.wisconsin.gov/files/forms/pdf/2026.pdf>
 - Family: <https://dcf.wisconsin.gov/files/forms/pdf/2255.pdf>



New Rules: For Your Staff

Continuing Education



- Types of approved continuing education training:³⁰
 - Formal courses resulting in credits or continuing education units
 - Workshops, conferences, seminars, lectures, correspondence courses, and home study courses
 - Training offered by the child care center through the use of guest or staff trainers
 - Documented observation time in other early childhood programs
 - Web-based training that results in a certificate of completion
 - 5 hours of independent self-study for books, videos, and web-based training and research which does not provide a certificate is still available annually (2.5 hours if staff member works 20 or fewer hours per week)³¹
- Forms:
 - Yearly Record: <https://dcf.wisconsin.gov/files/forms/pdf/0053a.pdf>
 - Independent self-study: <https://dcf.wisconsin.gov/files/forms/pdf/2114.pdf>

³⁰ DCF 250.05(4)(c)1.; 251.05(4)(c)8.

³¹ DCF 250.05(4)(c)3.; 251.05(4)(c)6



New Rules: For Your Staff

Continuing Education



Continuing education approved topics:³²

- 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 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 bio-contaminants
- 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. Child Abuse and Neglect
- p. CPR
- q. First aid
- r. Business operations
- s. Any other topic that promotes child development or protects children's health or safety



New Rules: For Your Staff

Qualifications



- Volunteers counted in ratio must be at least 18 years of age.³³
- Coming soon: Online Abusive Head Trauma Prevention Training



New Rules: Before You Travel

Driver, Vehicle, Route



- All vehicles requiring alarms **MUST** have a DCF inspection of the vehicle alarm annually, regardless of whether the center owns the vehicle.³⁴
 - No one-way transportation route may exceed 60 minutes (the center must apply for and be granted an exception request for specific fieldtrips which may exceed this 60-minute one-way limit).³⁵
 - Before a driver transports children in care for the first time, the licensee shall review all safety-related requirements with the driver.*³⁶
 - For copies of the new Driver Training Checklist form: <https://dcf.wisconsin.gov/files/forms/pdf/5383.pdf>

*Vehicles and drivers regulated under ch. Trans 300 (commercial busing companies) do not need to meet new requirements for section (4) DRIVER and section (5) VEHICLE.³⁷

³⁴ DCF 250.12(2)(b); 251.08(5)(c); 252.09(3)(b)

³⁷ DCF 250.08(5)(d); 251.08(4)(b); 252.09(5)(d)

³⁵ DCF 250.08(7)(e); 251.08(7)(e); 252.09(7)(e)

³⁶ DCF 250.08(4)(b); 251.08(4)(b); 252.09(4)



New Rules: Before You Travel

Driver, Vehicle, Route



- Additional precautions when transporting children (regardless of whether the vehicle is owned by the center):
 - Navigation devices must be programmed prior to operating the vehicle in traffic.³⁸
 - Driver transporting children in care may not use a cellphone or other wireless device unless:³⁹
 - The vehicle is out of traffic,
 - The vehicle is not in operation, AND
 - The phone or device is used to communicate regarding an emergency

³⁸ DCF 251.08(4)(d)2.; 250.08(4)(d)2; 252.09(4)(d)2.

³⁹ DCF 250.08(4)(d)1.; 251.08(4)(d)1.; 252.09(4)(d)1.



New Rules: Family Providers

In Your Homes



- Family child care licensee must be an individual person – no other business models may hold a family child care license.⁴⁰
- Programs are no longer able to be dually regulated (licensed AND certified).⁴¹
- Family child care centers may now operate up to 16 hours in a 24 hour period.⁴²
- Temporary closings lasting more than 2 weeks must be reported 5 calendar days prior.⁴³

⁴⁰ DCF 250.11(2)(am); 250.11(5)(d)

⁴³ DCF 250.04(3)(L)

⁴¹ DCF 202.01(2); 202.04(1)(b)

⁴² DCF 250.055(1)(c)



New Rules: Night-Time Providers

Hours of Application



- The night care rules now apply from 10:00 p.m. – 5:00 a.m. instead of 9:00 p.m. – 5:00 a.m.⁴⁴



New Rules: Group Providers

Children and Staff



- Staff may now provide care for up to 12 hours.⁴⁵
- Center directors do not need to work a specified number of hours per week exclusively carrying out director duties but can only be director for 2 full-day or 4 part-day programs.⁴⁶
- Teachers and directors are required to have 320 hours of experience (this is a similar requirement as in previous rule versions, but stated more clearly).⁴⁷
- Registry certificates are not due until 6 months after a qualified staff person moves into a teacher, director, or administrator role.⁴⁸
- Infants and toddlers may now be moved between groups of children in a room approved for care of children under 30 months, provided they remain in the care of a consistent caregiver.⁴⁹

⁴⁵ DCF 251.055(1)(d)

⁴⁶ DCF 251.05(3)(e)1.c.

⁴⁷ DCF 251.05(3)(e)3.c; 251.05(3)(f)2.c

⁴⁸ DCF 251.05(2)(a)4.a.-d.

⁴⁹ DCF 251.09(1)(d)



New Rules: Group Providers

Center Directors



New Qualifications – Director 50 or Fewer⁵⁰

TABLE 251.05A Director of a center licensed to care for 50 or fewer children	
Preservice training	Additional training
Two courses for credit in early childhood education.	Within one year of assuming the position, one course in the Wisconsin Child Care Administrator Credential or its equivalent
The Wisconsin Program Development Credential	Within one year of assuming the position, one course in the Wisconsin Child Care Administrator Credential or its equivalent
The Wisconsin Preschool Credential	Within one year of assuming the position, one course in the Wisconsin Child Care Administrator Credential or its equivalent
The Wisconsin Infant-Toddler Credential	Within one year of assuming the position, one course in the Wisconsin Child Care Administrator Credential
Two non-credit department-approved courses in early childhood education.	Within one year of assuming the position, one course in the Wisconsin Child Care Administrator Credential or its equivalent
One course for credit and one non-credit department-approved course in early childhood education.	Within one year of assuming the position, one course in the Wisconsin Child Care Administrator Credential or its equivalent
Forty-eight credits from an institution of higher education with at least 3 credits in early childhood education	Within one year of assuming the position, one course in the Wisconsin Child Care Administrator Credential or its equivalent
A Child Development Associate (CDA) credential issued by the Council for Professional Recognition	Within one year of assuming the position, one course in the Wisconsin Child Care Administrator Credential or its equivalent
A certificate from The Registry indicating the person is preliminarily qualified as a director for a center licensed to care for 50 or fewer children	Within one year of assuming the position, one course in the Wisconsin Child Care Administrator Credential or its equivalent
A one-year diploma in child care or early childhood education from an institution of higher education	No additional training required
An associate degree in early childhood education or child care from an institution of higher education	No additional training required
A bachelor's degree from an institution of higher education in early childhood education, education, or child development	No additional training required
A license issued by the Wisconsin department of public instruction indicating that the person is qualified to act as a pre-kindergarten, kindergarten, or early childhood regular or special education teacher. The license may not be a one-year license with stipulations (formerly known as an emergency license); a 3-year, short-term substitute license; or a 5-year long-term substitute license, as defined by the Wisconsin department of public instruction.	No additional training required

⁵⁰ DCF 251.05(3)(e)3.d.



New Rules: Group Providers

Center Directors

New Qualifications –
Director 51 or More⁵¹

TABLE 251.05B Director of a center licensed to care for 51 or more children	
Preservice Training	Additional Training
Four courses for credit in early childhood education from an institution of higher education. Up to 2 courses in the Wisconsin Child Care Administrator Credential series may be used to meet the early childhood education requirement if taken prior to beginning to work as a center director.	Within 3 years of assuming the position the Wisconsin Child Care Administrator Credential
The Wisconsin Program Development Credential	Within 3 years of assuming the position, the Wisconsin Child Care Administrator Credential
The Wisconsin Preschool Credential	Within 3 years of assuming the position, the Wisconsin Child Care Administrator Credential
The Wisconsin Infant – Toddler Credential	Within 3 years of assuming the position, the Wisconsin Child Care Administrator Credential
A combination of 4 courses for credit and non-credit department-approved courses in early childhood education. Up to 2 courses in the Wisconsin Child Care Administrator Credential series may be used to meet the early childhood education requirement if taken prior to beginning to work as a center director.	Within 3 years of assuming the position the Wisconsin Child Care Administrator Credential
A certificate from The Registry indicating that the person is preliminarily qualified as a director for a center licensed to care for 51 or more children	Within 3 years of assuming the position, the Wisconsin Child Care Administrator Credential
An associate degree in early childhood education or child care from an institution of higher education.	No additional training required
A bachelor's degree in early childhood education, education, or child development from an institution of higher education	No additional training required
A license issued by the Wisconsin department of public instruction or the appropriate authority in another state to be a pre-kindergarten, kindergarten, or early childhood regular or special education teacher. The license may not be a one-year license with stipulations (formerly known as an emergency license); a 3-year, short-term substitute license; or a 5-year long-term substitute license, as defined by the Wisconsin department of public instruction.	No additional training required



⁵¹ DCF 251.05(3)(e)4.d.



New Rules: Group Providers

School-Age Only Programs



- Staff Qualifications
 - Administrators, center directors, and child care teachers can now have department-approved experience, credits, or courses in social work, coaching, juvenile justice, or recreation in addition to the previously approved staff qualifications. The Wisconsin Afterschool and Youth Credential may be used to meet the requirements for teacher and center director.⁵²
 - Introduction to the School Age Care Profession and Skills and Strategies for the School Age Care Teacher are additional non-credit courses approved by the department.⁵³

⁵² DCF 251.095(4)(b)1. and 2.

⁵³ DCF 251.095(4)(b)2. Note.



New Rules: Group Providers

School-Age Only Programs



- Physical environment
 - Removed requirement for screens on doors and windows used for ventilation.⁵⁴
 - Removed requirement for energy-absorbing surface at least 9 inches deep on playgrounds.⁵⁵

⁵⁴ DCF 251.095(3)(f)

⁵⁵ DCF 251.095(3)(g)



New Rules: Day Camps

Around the Grounds

- Consolidated rules on the condition of the premises



Contact Information

Regional Licensing Offices

Start here for program specific questions:

- Northern Regional Office
 - ☎ (715) 361-7700
 - ✉ DCFPlcBRLNRO@wisconsin.gov
- Northeastern Regional Office
 - ☎ (920) 785-7811
 - ✉ DCFPlcBRLNERO@wisconsin.gov
- Southeastern Regional Office
 - ☎ (262) 446-7800
 - ✉ DCFPlcBRLSERO@wisconsin.gov
- Southern Regional Office
 - ☎ (608) 422-6765
 - ✉ DCFPlcBRLSRO@wisconsin.gov
- Western Regional Office
 - ☎ (715) 930-1148
 - ✉ DCFPlcBRLWRO@wisconsin.gov



Contact Information

Other Contacts

- Child Care Background Unit (for all background-check related questions):
 - ☎ (608) 422-7400
 - ✉ DCFPLicBECRCBU@wisconsin.gov
 - 💻 <https://dcf.wisconsin.gov/ccbgcheck>
- BECR Central Office
 - ☎ 608-421-7550
 - 💻 <https://dcf.wisconsin.gov/ccregulation>

