

PROCEDURE FOR OBTAINING AN INITIAL LICENSE TO OPERATE A GROUP CHILD CARE CENTER

Thank you for your inquiry regarding the licensing of a group child care center. Under s. 48.65, Wis. Stats., programs providing care for 4 or more children under 7 years of age for less than 24 hours a day are required to be licensed through the Department of Children and Families (DCF). Chapter DCF 251 governs child care centers that provide care and supervision to 9 or more children under 7 years of age.

1. Determine the need for the program you are considering. Involve other agencies and members of your community. Use the information you gather to decide what kind of program you will offer. Contact your local Child Care Resource and Referral Agency for detailed information for your area. The enclosed Supporting Families Together Association pamphlet will guide you to your local Resource and Referral agency.
2. Read and study the enclosed rule book *DCF 251 Licensing Rules for Group Child Care Centers for Children*. Also available on the Department of Children and Families website, <https://dcf.wisconsin.gov/cclicensing/rules>, is the *DCF 251 Licensing Rules for Group Child Care Centers with Commentary*. The commentary manual contains the licensing rules along with supporting material that provides additional information about the rules.
3. Complete the enclosed form *Group Child Care Business Start-Up Worksheet* and send it to the Supporting Families Together Association (SFTA) at:

Supporting Families Together Association
700 Rayovac Drive Suite 6
Madison, WI 53711

The Department of Children and Families has contracted with SFTA to offer a limited amount of pre-licensing technical assistance at no cost to the requestor. Upon receipt of the *Group Child Care Business Start-Up Worksheet*, SFTA will assign a child care technical consultant to help you prepare for an initial license. There are certain rules that must be met before a license can be issued; a checklist that identifies those items is included in this inquiry packet. The child care technical consultant will complete the checklist during a visit with you and will detail those items that you will need to complete before you submit the application for a license.

The department's contract with SFTA covers one on-site visit to a group child care center, which will typically occur just prior to the submission of an application for a license. Additional visits and other services not covered under the contract with DCF are available on a fee-for-service basis from SFTA. If you are interested in purchasing additional visits or services, talk with your child care technical consultant.

Note: Your child care technical consultant is not a DCF licensing specialist and does not have the authority to issue you a license. The child care technical consultant will provide information and assistance to help prepare you to submit for the initial license and will provide an application for a license upon completion of the technical assistance site visit.

4. Decide on a legal structure for the business: sole proprietorship, cooperative, limited liability company, partnership, or corporation. Is it "for-profit" or "not-for-profit"? Determine who is financially and legally responsible.
5. Prepare a business plan including start-up and operating budgets. Add any costs to apply for necessary permits, including those related to meeting applicable regulations (see No. 6, 7, 8 and 10). Select a site and determine the related costs.
6. Ensure that the building meets the Wisconsin Commercial Building Codes. A building inspection shall be conducted by a city commercial building inspector or an architect or engineer registered in accordance with Wisconsin Administrative rules A–E for Architects and A–E 4 for Engineers.

Your local zoning authority or building inspector will have information about obtaining an inspection to determine whether the building you are proposing to use for a child care setting will need any modifications. Before your license can be issued, you must document that the building complies with all applicable Wisconsin Commercial Building Codes by submitting a report completed by the inspector with your application for a license.

7. Ensure that the building where the center will be located meets the applicable licensing regulations. Among other requirements, the building must have at least 35 square feet of usable space for each child counted in capacity. Hallways, bathrooms and storage areas are not considered usable space. Some items, including but not limited to sinks, cribs, teacher and children's storage units (e.g., cubbies), refrigerators, and other appliances must be deducted from usable space in a classroom.

Licensing rules require a sink for diaper changing and handwashing in each room or area where children under age 2 receive care. This sink must be separate from any sink that is used in food preparation. The department recommends 2 sinks at least 18 inches apart or separated by an 8-inch-tall barrier so that one sink can be used for diaper changing and handwashing and the other can be used for food preparation. The requirements in the licensing rules regarding the number of toilets and sinks available may differ from the requirements in the Wisconsin Commercial Building Codes; if this is the case, you must follow the licensing rules at a minimum.⁸ Check with your municipality regarding any zoning requirements that may affect where the group child care center will be located. The local zoning authority can help explain the procedure for obtaining a conditional use permit if necessary. Obtain any other necessary permits including a building plan review if there will be any alterations, renovations, or modifications to the building.

9. Contact the Internal Revenue Service to obtain a Federal Tax Identification number (FEIN). The FEIN must be included on the application for licensure.
10. If your facility is not served by a public water system, request a well inspection and water test for bacteria and lead by a laboratory certified under ch. ATCP 77. Include a nitrate test if you will be caring for infants under the age of six months. **Note:** Centers using a private well that serves at least 25 of the same people over 6 months of the year are considered to have a non-transient non-community water system (NTNC) and must be in compliance with Administrative Code NR 809, Safe Drinking Water Act Standards. For information, visit the Department of Natural Resources web site <http://dnr.wi.gov/topic/DrinkingWater/owneroperator.html>
11. Develop policies and procedures for your program in the following areas:
 - Fee payments and refunds.
 - Personnel, including job descriptions, hours of work, lunch and break times, holidays, vacation, sick leave, leaves of absence, probationary period, performance evaluations, grievance procedures, and the disciplinary process. The personnel policy shall contain a procedure that requires staff to notify the licensee and the licensee to notify the department as soon as possible but no later than the next business day when the employee has been convicted of a crime; has been or is being investigated by any governmental agency; has a substantiated governmental finding against them for abuse or neglect of a child or adult or for misappropriation of a client's property; and whether a professional license held by an employee has been denied, revoked, restricted, or otherwise limited.
 - Discharge of enrolled children.
 - Admission.
 - Health care, including sudden infant death syndrome (SIDS) risk reduction procedures if center is licensed to care for children under one year of age.
 - Education.
 - Nutrition, including accommodating children with food allergies.
 - Child guidance, including appropriate ways to manage crying, fussing, or distraught children.
 - Emergency plans to be followed in the event of a fire, tornado, missing child, or other emergency.
 - Continuing education for staff.
 - Orientation of new staff and volunteers.
 - Transportation, if the center will transport children either on field trips or on a regular schedule. The policy must include a procedure to ensure that no child is left unattended in a vehicle.

A written contract between the center and the parent is recommended. Policies and procedures should be detailed and written so staff will know what your expectations are. Some policies and procedures, such as admission requirements, tuition and fee payments, nutrition, health care, child guidance, and educational plans, may be incorporated into a parent handbook that is shared with parents upon enrollment.

A Policy Checklist – Group Child Care Centers form will need to be submitted with your application for a license. You can obtain policy guidelines and sample policies and procedures from the Child Care Information Center at <https://dcf.wisconsin.gov/ccic> or 1-800-362-7353. The Child Care Information Center also has information on SIDS risk reduction procedures to share with staff and parents.

12. Decide who will assume the responsibilities of administrator and center director. Ensure that enough staff have been hired to meet the required staff-to-child ratios. The administrator, center director, and child care teachers must have obtained the required education and experience prior to assuming the position. See section 251.05 of the *DCF 251 Licensing Rules for Group Child Care Centers for Children* for definitions and qualifications. Courses used to meet entry-level training requirements can be obtained through the Wisconsin Technical College System or UW system as well as from some private colleges and universities. Many private agencies around the state also offer the non-credit, department-approved courses. A list of the agencies offering non-credit, department-approved courses is available on the department's website <http://dcf.wisconsin.gov/ccregulation/providers>. Agencies offering non-credit courses often list the courses on The Registry's website <https://www.the-registry.org/myregistry/>.

Note: The non-credit course called *Introduction to the Child Care Profession* meets the early childhood education entry-level training component for an assistant child care teacher and the administrator of a child care center. An administrator will also need training or experience in business or management. The non-credit courses called *Introduction to the Child Care Profession* and *Skills and Strategies for the Child Care Teacher* meet the required training for a child care teacher and a center director for a small center licensed to care for 50 or fewer children. Directors of programs licensed to care for 51 or more children will need to have 2 additional courses for credit or non-credit courses before beginning to work as a center director. Up to two courses taken toward earning the Wisconsin Child Care Administrator Credential will meet this requirement if taken prior to beginning to work as the center director.

If the center will serve children under 2 years of age, all staff working with children under age 2 will need to obtain training in the care of infants and toddlers. The non-credit, department-approved course called *Fundamentals of Infant and Toddler Care* meets this requirement.

13. Obtain required liability insurance for the premises. Vehicle insurance is also required if you plan to transport children in owned or non-owned vehicles. A certificate of insurance will need to be submitted with the application for a license. If the center will have cats or dogs allowed in areas where children are cared for during the center's hours of operation, the certificate of insurance must specify that these pets are covered.
14. If you will transport children in a vehicle owned, leased, or contracted for by the child care center that has a seating capacity of 6 or more passengers in addition to the driver, install a vehicle safety alarm that prompts the driver to inspect the vehicle for children prior to exiting the vehicle. Additional information on vehicle safety alarms is available on the department's website <https://dcf.wisconsin.gov/ccregulation/providers>.
15. Check with a lawyer, accountant, and / or governmental agency to determine any obligations regarding income tax withholding, social security contributions, worker's compensation, and unemployment compensation.
16. Obtain appropriate equipment and furnishings. Set up your child care space. A list of suggested equipment is available from the Child Care Information Center at 1-800-362-7353 or <https://dcf.wisconsin.gov/ccic>.
17. Obtain any forms needed for either the children's files or the staff's files. See Appendix I at the back of the enclosed rule book for a list of the required items for a group child care center. The department has developed forms that meet the requirements of the rules. Copies of department forms are available on the department's website at <https://dcf.wisconsin.gov/cclicensing/ccformspubs>. If you don't have access to the Internet, Appendix I of the rule book will provide information on how to get one copy of each form by mail. You may want to check the website occasionally to make sure that you have the most current version of each form; the revision date is listed on each form.
18. Complete a *Background Check Request* (BCR) form and submit it to the regional office when you submit the application.
- If the licensee will be a corporation, a representative of that corporation must submit the BCR form.
 - If the center will be located in a residence, any household members aged 10 years and older will also need to complete a BCR form to be submitted with the license application.

The department will complete a child care background check on all applicants for licensure, employees, adult household members, and minor household members aged 10 - 17. Minor household members age 10 - 17 are subject to child abuse and neglect checks only, but may, in some instances, be subject to a criminal background check. You and your household members must complete all required components of the background check, including a fingerprint-based check, and receive final eligibility before a license may be granted. Additional information about the background check requirements can be found on the Department's website at <https://dcf.wisconsin.gov/ccbgcheck> or by contacting the Child Care Background Unit (CBU) at (608) 422-7400.

19. **Even after you have completed the pre-licensing process with your SFTA child care technical consultant, you are not yet licensed.** The child care technical consultant will provide you with an *Initial License Application – Group Child Care Centers* at the conclusion of services. You will need to complete this application form and submit it with the following items to the regional office serving your area (see enclosed listing) in order to become licensed:
- *Initial Licensing Checklist - Group Child Care Centers* which was completed by your child care technical consultant after the on-site visit. You will need to complete and sign the *Applicant* section of the Initial Licensing Checklist not more than 30 days prior to submitting it along with the application form.
 - Completed *Background Check Request* forms for the licensee(s), or in the case of a corporation a representative of the corporation, and for persons aged 10 years or older living in the center.
 - Required certificates of insurance.
 - Center policies and a completed *Policy Checklist – Group Child Care Centers*.
 - A building inspection report that indicates the building is in compliance with all applicable Commercial Building Codes.
 - License application fee of \$45.68 which will be applied to your probationary license fee (see item 21 below). If, for any reason, you do not complete the application process or the department denies your application, the department will not issue a refund.
 - Any other materials indicated on the last page of the *Initial Licensing Checklist – Group Child Care Centers*.
20. Once you have submitted all your application materials, the department will make a determination whether you are eligible for a license. The determination decision is based on a review of the application materials; completion of the child care background checks as indicated in item 18; and the results of the investigation by the department to determine whether the licensee is fit and qualified for a license.

It is **VERY IMPORTANT** that you have met all applicable items in the *Initial Licensing Checklist - Group Child Care Centers* before the application is submitted and the initial licensing visit is scheduled with the department. **If the licensing specialist makes the initial licensing visit and you are not in compliance with all applicable requirements of DCF 251, Licensing Rules for Group Child Care Centers, your application for a license may be denied because you do not meet the requirements for a license.** Administrative Code DCF 251.11(1)(h) states, “The department may not process an application for a license if the applicant has had a license or certification to operate a child care center revoked or denied within the last 2 years. An applicant is deemed ineligible to submit an application for a license and a licensee may not hire an employee within 2 years from the date an applicant or employee had a child care license revoked or denied.”

If you do not submit all the required application materials to the department within 6 months of the date that the *Initial Licensing Checklist* was signed by the SFTA technical consultant, you must repeat the pre-licensing process from the start, and update and resubmit all application materials.

21. Submit the probationary license fee. The department will not issue the probationary license until we receive the probationary license fee. Following a successful onsite visit and approval of your application, the licensing specialist will approve your licensed capacity. The total fee for a regular 2-year license is a \$30.25 base fee + \$16.94 for every child in your center’s approved capacity. The probationary period is 6 months, so the probationary fee is ¼ of the total fee for a regular 2-year license minus the \$45.68 license application fee you submitted with your application materials.
23. Licenses are not transferable. If you plan to move, you must contact your licensing specialist and submit new application materials and fees to obtain a probationary license for the new location at least 30 days before your move. No credit will be given for fees at your prior location.
24. Under the authority of s.48.73, Wis. Stats. and DCF 251.12(2), the department must be granted unrestricted access to your premises any time during licensed hours for the purpose of monitoring your compliance with the licensing rules. If you fail to allow access to a department representative, the department shall take enforcement action against your license under s.48.715, Wis. Stats., including issuance of orders, forfeitures, or revocation of your license. In addition, if the department is unable to monitor for compliance or verify correction of licensing violations, it may affect your eligibility to receive child care subsidy payments pursuant to DCF 201.04.

The Department of Children and Families is an equal opportunity employer and service provider. If you have a disability and need to access services, receive information in an alternate format, or need information translated to another language, please contact the Bureau of Early Care Regulation at dcfclicreg@wisconsin.gov or (608) 421-7550. Individuals who are deaf, hard of hearing, deaf-blind or speech disabled can use the free Wisconsin Relay Service (WRS) – 711 to contact the department.