

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

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 Wisconsin Child Care Resource and Referral Agency listing is enclosed.
2. Read and study the enclosed rule book *DCF 250 Licensing Rules for Family Child Care Centers*. Also available on the Department of Children and Families website <https://dcf.wisconsin.gov/cclicensing/rules>, is the *DCF 250 Licensing Rules for Family 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 "Family 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

SFTA has a contract with the Department Children and Families to offer a limited amount of pre-licensing technical assistance at no cost to the requestor. Upon receipt of the Family Child Care Business Start-Up Worksheet, SFTA will assign a child care technical consultant to help you prepare for an initial licensing study. Because there are certain rules that must be met before a license can be issued, your child care technical consultant will provide a checklist that identifies those items. 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.

**Note: Your child care technical consultant is not a department 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 for the initial licensing study and will provide an application for a license upon completion of the technical assistance.

4. The Wisconsin Statutes exempt certain family child care centers from local zoning ordinances. Check with your local municipality to determine whether your family child care center will be exempt according to this law or whether you will need to obtain a local zoning permit to operate. Specifically, s.66.1017, Wis. Stats., reads as follows:
  - 66.1017 Family day care homes.
    - (1) In this section:
      - (a) "Family day care home" means a dwelling licensed as a day care center by the department of children and families under s.48.65 where care is provided for not more than 8 children.
      - (b) "Municipality" means a county, city, village or town.
    - (2) No municipality may prevent a family day care home from being located in a zoned district in which a single-family residence is a permitted use. No municipality may establish standards or requirements for family day care homes different from the licensing standards established under s.48.65. This subsection does not prevent a municipality from applying to a family day care home the zoning regulations applicable to other dwellings in the zoning district in which it is located.
5. If the proposed family child care center will not be used as a residence by at least one person or will be in a building that is not a one or two-family dwelling, you will need to document that the building complies with all applicable Wisconsin Commercial Building Codes by submitting a report completed by a commercial building inspector with your application for a license. The building inspection shall be conducted by a commercial building inspector from a city or a Wisconsin registered architect or engineer registered in accordance with Wisconsin Administrative Rules A-E for Architects or A-E4 for Engineers.

The Department of Commerce administrative code, Comm 61.02(3)(g), exempts family child care centers from meeting the Commercial Building Codes if the program is licensed to care for 8 or fewer children **and** located in a 1-or 2-family dwelling. The Wisconsin Statutes in s.101.61(1) define a "dwelling unit" as a "structure or part of a structure which is used or intended to be used as a home, residence or sleeping place by one person or by 2 or more persons maintaining a common household to the exclusion of all others."

The SFTA child care technical consultant will also have information on obtaining an inspection to determine whether a building you are proposing to use for a family 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.

6. Under the licensing rules, you and any other person providing care will need to complete 2 courses before a license can be issued. One course must be in early childhood education and the other course must be about operating a child care business. The non-credit, department-approved course in early childhood education is called *The Introduction to the Child Care Profession*. The non-credit, department-approved course in operating a child care business is called *Fundamentals of Family Child Care*. In addition, if you intend to care for children under 2 years of age, you will need to complete a non-credit, department-approved course called *Fundamentals of Infant and Toddler Care* within 6 months of becoming licensed.

Courses may be taken through the technical college system or UW system. Many private agencies around the state also offer the non-credit, department-approved courses. You can find a list of all the private agencies offering non-credit, department-approved courses on the department's website <https://dcf.wisconsin.gov/cclicensing/entry-level-training>. Agencies offering non-credit courses often list courses on the Wisconsin training network website <https://www.the-registry.org/myregistry/>.

7. Obtain required insurance. If you have any cats or dogs that will be allowed in areas of the center accessible to children when children are present, you must obtain liability coverage on the child care business that specifically includes coverage for pets. If you provide transportation, you must obtain liability insurance on all private vehicles used to transport children in care. You will need to submit documentation of any required insurance with your application for a license.
8. Develop written policies and procedures for staff and for distribution to parents regarding:
  - Enrollment and discharge of enrolled children.
  - Fees charged including refunds.
  - Child and provider absence policy, including a procedure to contact a parent if a child is absent from the center without prior notification from the child's parent.
  - Health care (including SIDS risk reduction procedures if you will provide care to children under 1 year of age).
  - Nutrition.
  - Daily activities of children.
  - Child guidance techniques including appropriate ways to manage crying, fussing or distraught children.
  - Transportation of children for any purpose including field trips. The policy must include a procedure to ensure that no child is left unattended in a vehicle.
  - Religious instruction or practices, if any.
  - The types and location of pets or other animals located on the premises of the center and the type of access the children will have to the pets.
  - Information about liability insurance you may have on your operation, premises and vehicles.

A written contract between you and the parent is recommended.

A copy of a policy template called *Policy Sample – Family Child Care Centers* and the required form *Policy Checklist – Family Child Care Centers* are available on the Internet at <https://dcf.wisconsin.gov/cclicensing/ccformspubs>. You can also obtain copies of these materials by contacting the Child Care Information Center at 1-800-362-7353.

9. Develop an orientation policy for all employees, volunteers, helpers and substitutes. All employees, volunteers, helpers and substitute providers must have an orientation completed prior to working with the children. Documentation of the orientation must be maintained in the staff record. This policy should include:
  - Names and ages of children in care.
  - Current arrival and departure information for each child enrolled including the names of people authorized to pick up the child.
  - A review of children's records including emergency contact information.
  - Specific information relating to children's special health care needs including medications, disabilities or special health conditions.
  - Procedures to reduce the risk of Sudden Infant Death Syndrome (SIDS) if the center is licensed to care for children under 1 year of age.
  - An overview of the daily schedule including meals, snacks, nap and any information related to the eating and sleep schedules of infants and toddlers enrolled in the center.
  - A review of the center's procedures for dealing with emergencies.
  - The procedure for reporting suspected child abuse and / or neglect.
  - The plan for evacuating sleeping children, if the center will be licensed to care for children between the hours of 9 PM and 5 AM.
  - The procedure to contact a parent if a child is absent from the center without prior notification of the absence from the parent.
  - A review of center policies.
  - A review of the licensing rules.

- Information on the procedure that employees must follow if the employee has been convicted of a crime; has been or is being investigated by any governmental agency related to the abuse or threat of abuse or neglect of a child or other client; or an investigation related to the misappropriation of a client's property; if the employee has a substantiated finding of abuse or neglect of a child or adult or for misappropriation of a client's property; whether a professional license held by a provider has been denied, revoked, restricted or otherwise limited.
10. Develop an orientation policy for all emergency back-up providers who may care for children in the event that you must respond to a family or medical emergency. This policy should include:
    - Names and ages of all children in care.
    - Arrival and departure for each child in care including the names of people authorized to pick up children.
    - Information on SIDS risk reduction procedures utilized for children under 1 year of age.
    - Location of children's files, including emergency contact information, consent for emergency medical treatment and any special health care needs.
  11. If your facility is not served by a public water system, request a well inspection and water test for bacteria by a laboratory certified under ch. DHS 165. Include a nitrate test if you will be caring for infants under the age of six months.
  12. 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. Information on where to purchase vehicle safety alarms is available on the DCF website <https://dcf.wisconsin.gov/ccregulation/providers>.
  13. Obtain the necessary forms to be completed by parents including a child enrollment, health history and emergency care plan, immunization record, child health report, and the infant / toddler intake form for children under age 2. Copies are available from the DCF website <https://dcf.wisconsin.gov/cclicensing/ccformspubs>. If you don't have access to the Internet, your child care technical consultant can tell you how to get one copy of each form by mail.
  14. Obtain a physical exam, including a TB test, unless you have had one in the past year.
  15. Determine which areas will be used by the children, and obtain equipment and furnishings. Make sure that the center is free of hazards. Recalled products are considered hazards under the child care licensing rules. Information on recalled products can be obtained through the Department of Agriculture, Trade and Consumer Protection's website at [www.datcp.state.wi.us](http://www.datcp.state.wi.us) or from the U.S. Consumer Product Safety Commission at 1-800-638-2772.

During the initial site visit, the licensing specialist will inspect the entire premises, including areas that you will not be using for child care, to ensure that children will be safe and that you have removed any hazards. Allow a minimum of 2 hours for the initial visit; it may take longer depending upon your readiness for licensure.

16. Complete a *Background Information Disclosure* (BID) form and submit it to the regional office when you submit your application. Any household members aged 12 years and older will also need to complete a BID form to be submitted with your license application.

The regional office will complete a Caregiver Background Check (CBC) on all applicants for licensure and adult household residents. Household members under age 18 will not need to have a complete CBC unless the department determines it is required. A "Yes" answer to any question in sections A or B of the BID form may preclude you from obtaining a license. Required CBCs for the licensee will be completed at the time of initial licensure and every three months thereafter. Required CBCs for adult household members will be completed at the time of initial licensure and every year thereafter. Consult your child care technical consultant for more information about the CBC process.

17. **After you have completed working with your SFTA child care technical consultant, you are not yet licensed.** The child care technical consultant will provide you with an application for a license (*License Application – Family 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:
  - Any items requested as attachments to the license application form.
  - *Initial Licensing Checklist - Family Child Care Centers* which was completed by your child care technical consultant after she / he visited your site for an inspection. You will need to complete every item on the checklist and sign the applicant section of the Initial Licensing Checklist not more than 14 days prior to submitting your application.
  - Completed *Background Information Disclosure* forms for yourself and all household members aged 12 years and over.
  - Written policies and procedures and the completed *Policy Checklist - Family Child Care Centers*.
  - Any other items specified on the last page of the *Initial Licensing Checklist - Family Child Care Centers*.
  - One check or money order made payable to the Department of Children and Families. See item 19 below to determine the total amount you must submit.

After you have submitted an application for a license, the department will make a determination as to whether you are eligible for a license. The determination will be based on review of all the application materials; completion of the Caregiver Background Checks as indicated in item 16; and the results of the investigation to determine whether you are fit and qualified for a license. The eligibility determination decision may include a more extensive investigation because of information revealed on the Caregiver Background Check. You may want to do a Caregiver Background Check on yourself and any adult household residents to see what type of information is on your record. You may also want to check the Circuit Court Automation Program Record Search (CCAP) <http://www.wicourts.gov/>, the National Sex Offender Registry (NSOR) <http://wisconsinco.familywatchdog.us/> and municipal records to determine what may be included in their records. This information is all public record, and will be reviewed as part of the Caregiver Background Check process. If an investigation must be done because of information revealed on the Caregiver Background Check, the 60-day time frame does not begin until that investigation has been completed.

It is **VERY IMPORTANT** that you have met all applicable items in the *Initial Licensing Checklist - Family 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 250 Licensing Rules for Family 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 the department does not hear from you within 6 months after receiving your application or after the first initial licensing study was completed, your application will be closed and you will need to reapply.

18. A licensing fee of \$60.50 is charged every two years. Your fee for the first six-month probationary license is \$15.12. The table in Item 19 will help you to calculate the total amount of the check or money order to submit with the application. If you submit an application and later decide not to complete the licensing process, your fees will not be refunded if the licensing specialist has made an on-site inspection.

19. The check or money order should be made payable to the Department of Children and Families. To determine the total amount of the check or money order, use the following calculations:

$$\begin{array}{r}
 \$15.12 \\
 + \quad \underline{\$10.00} \quad \times \quad \underline{\hspace{2cm}} \\
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 = \quad \$\underline{\hspace{2cm}}
 \end{array}
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 \text{Licensing fee for six-month probationary period.} \\
 \text{(All applicants for licensure and adult household residents per Item 16).} \\
 \\
 \text{Total amount of check or money order.}
 \end{array}$$

20. Licenses are not transferable. If you move, you must contact your licensing specialist and submit a new application and fees to obtain a probationary license for the new location at least 30 days before you move. No credit will be given for fees at your prior location.

21. You are required to do a Caregiver Background Check (CBC) through the Department of Justice on all employees including substitute caregivers, persons who are contracted by you or compensated by other sources, student teachers and volunteers used to meet staff-to-child ratios. Refer to the department's publication *Frequently Asked Questions – Caregiver Background Check Requirements for Child Care Centers* for information on how to conduct a CBC on a prospective employee. A copy is available on the DCF website <https://dcf.wisconsin.gov/cclicensing/cbc-forms-pubs> or from your child care technical consultant. You will not be able to complete a full CBC on an employee until after you have been issued a license and have a facility ID number. You must have the employee complete the *Background Information Disclosure* (BID) form upon hire. The employee may begin working under general supervision until you get the full CBC results provided the BID form indicates no crime, act or offense was committed that would bar the person from working in a child care facility. You have 60 days after initial licensure or from the date of hire to obtain the results from the CBC.

Contact your child care technical consultant or licensing specialist if you have questions regarding the CBC process.

22. Under the authority of s.48.73, Wis. Stats., and DCF 250.12(2), the department must be granted unrestricted access to your premises 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(7)(c).

The Department of Children and Families (DCF) is an equal opportunity employer and service provider. If you have a disability and need to access this information in an alternate format, or need it translated to another language, contact the Bureau of Early Care Regulation at 608-266-9314 (general) or 888-692-1382 (TTY). For civil rights questions call 608-422-6889 (general) or 711 (TTY).