Wisconsin Childcare Regulatory System (WISCCRS)

User Guide

Enforcements

<mark>December 2023</mark>

Division of Early Care and Education

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Enforcements

This module captures information on how to enter Enforcement Actions into WISCCRS. Below is a list of enforcement action types that can be entered for each provider type:

Licensed

- Denial (closed out 14 days after enforcement mailing date to account for appeal timeframe. If an appeal is received, then leave denial open.)
- Direct Forfeiture (closed out when forfeiture fees are paid)
- Forfeiture (closed out when forfeiture fees are paid)
- Orders Letter (closed out when compliance is verified)
- Revocation (closed out 14 days after enforcement mailing date to account for appeal timeframe. If an appeal is received, then leave revocation open.)
- Summary Suspension (closed out same day enforcement issued)
- Warning Letter (closed out same day enforcement issued)
- Second Probationary License due to Noncompliance (closed out same day enforcement issued)

Public School Operated Programs (PSCH)

- Warning Letter (closed out same day enforcement issued)
- Orders issued by the CBU

Certified Providers:

- Denial
- Revocation
- Suspension
- Warning Letter

Unregulated providers: To be entered by BECR Licensing

- Direct Forfeiture (closed out when forfeiture fees are paid)
- Forfeiture (closed out when forfeiture fees are paid)
- Orders Letter (closed out when compliance is verified)

Enforcement Details by Provider Type

Below are tables that explain the options for all provider types:

Licensed, Public School Operated Programs (PSCH)and Unregulated Providers

Enforcement Action Licensed	Tags – Tags are not displayed on the Childcare Public Search. Multiple reasons can be chosen.
Denial	**Caregiver Law**
Due to: Licensee/Applicant Non-client Resident Employee	Permanent Bar 5 Year Bar <mark>5 Year Bar with Rehab</mark> Bar with Rehab Bar Licensee Pending Charge Serious Crime
	Other Reasons - Lic
	CBU Conviction Substantially Related Tax Delinquency Unemployment Insurance Delinquency Non-Compliance No Access Fit and Qualified/Behaviors Subject of Current Police Investigation
Direct Forfeiture Licensed and Unregulated	
	Noncompliance CBU Unregulated
Forfeiture Licensed and Unregulated	
	Noncompliance CBU Unregulated
Orders Letter Licensed, Public School <mark>Operated Programs (PSCH)</mark> and Unregulated	
	Noncompliance CBU Unregulated
Revocation Licensed	**Caregiver Law**
Due to: Licensee/Applicant Non-client Resident Employee	Permanent Bar 5 Year Bar <mark>5 Year Bar with Rehab</mark> Bar with Rehab Bar Licensee Pending Charge Serious Crime
	Other Reasons - LIC

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Enforcement Action Licensed	Tags – Tags are not displayed on the Childcare Public Search. Multiple reasons can be chosen.
	CBU Conviction Substantially Related Tax Delinquency Unemployment Insurance Delinquency Noncompliance No Access Fit and Qualified/Behaviors Subject of Current Police Investigation
Summary Suspension **Licensed**	
Due to: Licensee/Applicant Non-client Resident Employee	Caregiver Law Conviction Substantially Related Noncompliance Failure to Provide Environmental Protections State/County Government Investigation
Suspension – Pending Charge **Licensed**	
Due to: Licensee/Applicant Non-client Resident Employee	No Tags Available
Temporary Suspension **Licensed**	
Due to: Licensee/Applicant Non-client Resident Employee	No Tags Available
Warning Letter **Licensed and Public School** **Operated Programs (PSCH)**	
	No Access No Phone DOR CBU Noncompliance
Second Probationary License due to Noncompliance **Licensed**	
	No tags available for this enforcement type.

Certified Providers

Enforcement Action	Tags - Tags are not displayed on the Childcare Public Search. Multiple reasons can be chosen
Denial	**Caregiver law**
Due to: Licensee/Applicant Non-client Resident Employee	Permanent Bar
	5 Year Bar
	Bar with Rehab
	Bar Licensee
	Pending Charge Serious Crime
	Other Reasons - Cert
	Conviction Substantially Related
	Noncompliance
	No Access
	Fit and Qualified/Behaviors
	Subject of Current Police Investigation
Revocation	**Caregiver law**
Due to: Licensee/Applicant Non-client Resident Employee	Permanent Bar
	5 Year Bar
	Bar with Rehab
	Bar Licensee
	Pending Charge Serious Crime
	Other Reasons - Cert
	Conviction Substantially Related
	Noncompliance
	No Access
	Fit and Qualified/Behaviors
	Subject of Current Police Investigation
Suspension	
	Pending Charge Serious Crime
	Pending Substantially Related Charge
	Noncompliance
	No access
Warning Letter	
	No Access
	No Phone
	Noncompliance

Add New Enforcement

To add an enforcement action, click on the Enforcement link in the left-side navigation menu. Then click on Add New Enforcement link. The following screen will display.

Below is a table that explains each field in detail.

Field Name	Description
Enforcement Action (mandatory field)	Choose the enforcement type. All possible values are listed in the tables on pages 3-5.
Due to	If the enforcement relates to the background check law or a specific applicant/licensee, employee or non-client resident, choose the relevant option from the drop-down. Values are: • Applicant/Licensee • Non-client Resident • Employee
Mailing Date (mandatory field)	Enter the date the enforcement notice was mailed.
Mail Received Date	If the enforcement notice was mailed as a certified letter, enter the date the mail receipt was signed. Check https://www.usps.com/ for tracking receipt/signature/date. This may be entered at a later time.
Unclaimed	Check if the certified letter was returned as unclaimed. This may be entered at a later time.
Appeal	Check this box when an appeal request is received (if applicable). For licensing, DCF OLC (Office of Legal Counsel) will notify the licensing region if an appeal is received. See Appeal section for further information. This will be entered at a later time.
Hearing Date	Enter the date of the Hearing (if applicable). This will be entered at a later time.

Field Name	Description
Decision Date	Enter the date of the appeal decision (if applicable). ==This will be entered at a later time.==
Decision	Enter the result of the appeal. Values are: • Not Upheld • Stipulation • Tax Clearance (licensing only) • Upheld • Withdrew • Dismissed – Other • Dismissed – Withdrawn By Provider • Dismissed – Withdrawn By Agency/DCF • Unemployment Insurance Clearance ==This will be entered at a later time.==
Closed Date	Enter the date the Enforcement is closed. NOTE: For licensing, Warning letters, ==Summary Suspensions, and Second Probationary License due to Noncompliance are closed the same date as the mailed date. All other enforcement types are kept open until a later date. See the list on page 2 for more details on closed date.== Certifiers may choose to ==leave open during the appeal timeline,== but must return to close out.
Comments	Enter comments pertaining to the enforcement action, such as related to the incident/Complaint number.
Tags	Enforcements can have multiple reasons (tags) associated with their issuance. The tags are used to add more detail to an enforcement action. Once the Enforcement Action is selected, tags available for the specific action will appear. All possible values are listed in the tables on pages 3-5.. To add a tag, click on the tag or drag it to move it into the Tags area.

Violations may be attached to an enforcement action. If the provider location has had rule violations in the past 90 days, these violations will be displayed on the bottom of the enforcements screen and may be attached to the enforcement. Older violations can be viewed and added by clicking on the Show Violations prior to 90 Days link. Select the violation(s) from the displayed list to attach them to the enforcement. Only attach violations that are listed in the enforcement letter.

NOTE: The Non-compliance Issue Date must be entered on the Modify Site Visit screen before a violation can be attached to the enforcement.

		Violations			
	Violation Type	Rule #	Rule Description	Detection Date	Detection Type
☐	250.05	250.05(3)(j)	Supervision Of Children While Outdoors	08/01/14	Site Visit
☐	250.07	250.07(5)(c)	Meals & Snacks - Minimum Meal Requirements	08/01/14	Site Visit
Show Violations prior to 90 Days					

If no violations are attached to an enforcement action, the system will display the informational alert identified below:

⚠ **Error - The Following Problems Have Occurred**

⚠ **Enforcement Action:** Violations were not attached to this Enforcement Action.
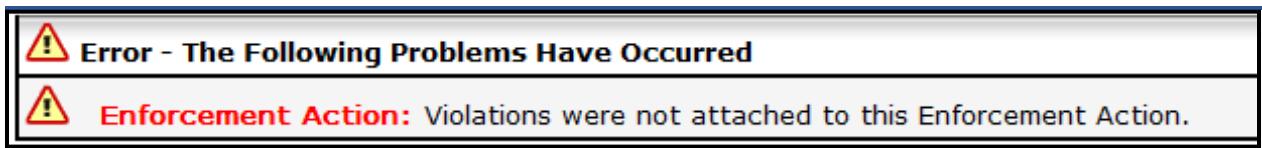
There are some enforcement actions that cannot be tied to an administrative rule violation and/or do not require violations to be attached. In these cases, ignore the informational alert and click Add again to process the screen.

Display Violations and Tags

If an enforcement has a ⊞ symbol preceding the Enforcement Action type, this means violations or tags are attached to the Enforcement.
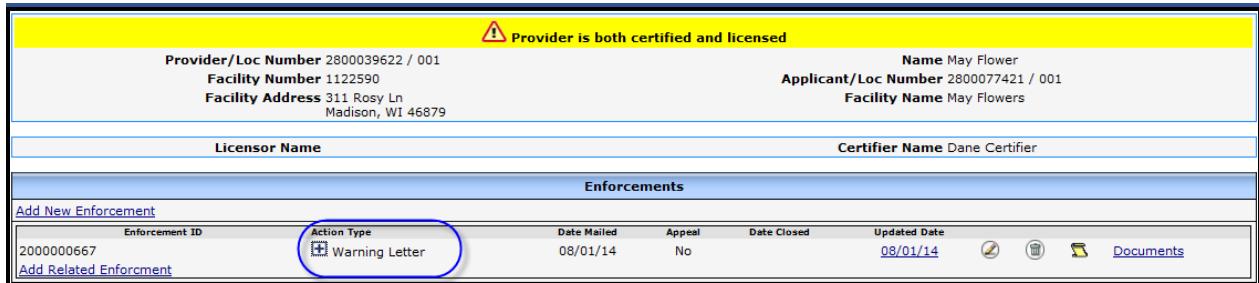
⚠ **Provider is both certified and licensed**

Provider/Loc Number 2800039622 / 001	**Name** May Flower
Facility Number 1122590	**Applicant/Loc Number** 2800077421 / 001
Facility Address 311 Rosy Ln Madison, WI 46879	**Facility Name** May Flowers

Licensor Name	**Certifier Name** Dane Certifier

Enforcements

Add New Enforcement

Enforcement ID	Action Type	Date Mailed	Appeal	Date Closed	Updated Date				
2000000667	⊞ Warning Letter	08/01/14	No		08/01/14	✎	🗑	📑	Documents

Add Related Enforcment

Click on the ⊞ sign to expand the details. Click on the ⊟ sign to hide the details.

Enforcements

Add New Enforcement

Enforcement ID	Action Type	Date Mailed	Appeal	Date Closed	Updated Date				
2000000667	⊟ Warning Letter	08/01/14	No		08/01/14	✎	🗑	📑	Documents
	Reason: Noncompliance								

	Violation Type	Rule #	Rule Description	Detection Date	Detection Type
	250.05	250.05(3)(j)	Supervision Of Children While Outdoors	08/01/14	Site Visit
Add Related Enforcment	250.07	250.07(5)(c)	Meals & Snacks - Minimum Meal Requirements	08/01/14	Site Visit

Changes to Monitoring Plan *(Licensing Only)*

Remember to update the monitoring plan when issuing an enforcement. Change monitoring plan to maximum for all enforcements, including warning letters for no access. Change monitoring plan to moderate for other warning letters.

Enforcements Resulting from a Complaint Investigation

Enforcements that resulted from a complaint investigation can be entered in two ways:
1) In conjunction with a complaint/self-report through the link on a Complaints/Incidents screen (see screen shot below)
2) By selecting Enforcement from the left-side Navigation Menu.

If the enforcement was entered from the Enforcement link in the Complaints/Incidents module, the complaint header will be shown on the New Enforcement screen.
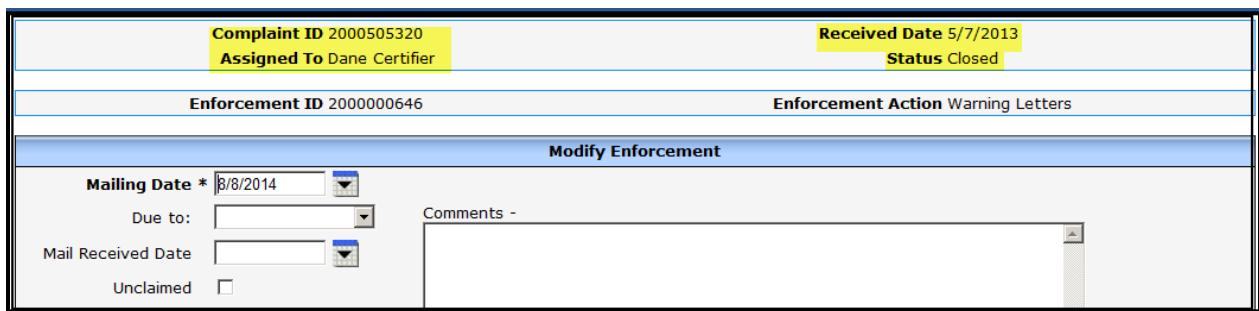
Related Enforcements

There are times when multiple enforcement actions are initiated at the same time, or when a new enforcement is related to a previous enforcement action. Use the Add Related Enforcement link to create a related action. For example, a forfeiture may be assessed to a licensed program for failure to comply with a previous order, or the license/certification may be revoked due to a previous enforcement action. Related Enforcements will be listed under the same Enforcement ID.

Enforcements						
Add New Enforcement						
Enforcement ID	**Action Type**	**Date Mailed**	**Appeal**	**Date Closed**	**Updated Date**	
1000039726	⊞ Summary Suspension	07/04/11	No		07/21/11	⊘ 🗑 📜
	⊞ Forfeiture		No		07/21/11	⊘ 🗑 📜
	⊞ Stipulation		No		07/21/11	⊘ 🗑 📜
Add Related Enforcement						

Forfeiture Fee – Licensing & Unregulated Programs

To add a fee to a forfeiture enforcement, click on the Forfeiture link after expanding the violations.

The New Fee screen will open. The Transaction Type defaults to Forfeiture Fee. Enter the assessed fee amount to each violation as noted in the forfeiture letter and add comments as needed.

The Forfeiture Fee appears in the Transactions list and is linked to the Enforcement action. If the Forfeiture Fee amount is changed or withdrawn, it is reflected on the Enforcements Screen.

Note for Licensing:

Payment for forfeiture fees may be paid online or sent to Central Office in Madison. In situations where the regional LPPA receives payment for both forfeiture fees and another fee (e.g. license) in the region and the check must be deposited by the region, the LPPA should collect the forfeiture fees in WISCCRS (being mindful to apply the collection to the forfeiture fees).

LPPA's and regional staff are notified from Central Office when payment is received and updated in WISCCRS. LPPA should verify everything is completed and uploaded in WISCCRS and close forfeiture once fees are paid in full. If order was also issued, do not close until Regional Licensing Manager/Supervisor or Licensing Specialist has verified and informs you to close the order. Change the monitoring plan to moderate if no order was issued with the forfeiture. If order was issued, leave the monitoring plan at maximum until order is verified.

Appeals

If the applicant/licensee/certified operator or unregulated childcare provider appeals the enforcement, access the Modify Enforcement screen. On the Modify Enforcement screen, click on the Appeal check box. If the appeal is for a licensed/unregulated facility, the region is provided the hearing date by OLC. Enter the date in the Hearing Date field. Once you are notified of the outcome of the appeal, enter this information to the Decision Date and Decision fields using one of the dropdown options listed in the chart on page 7.
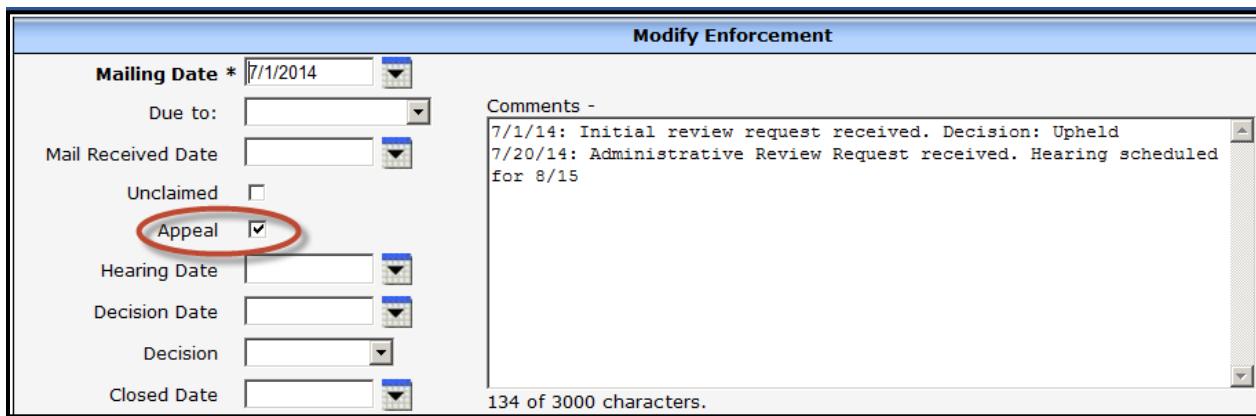
According to Chapter 68, the certifying agencies in the balance of the state may have a 2-step appeal process (initial and administrative review). If your agency uses both steps, please enter the details into the comments section of this screen.

Modifying/Closing an Enforcement

In order of modify or close and enforcement, click the pencil icon on the Display Enforcement screen.

The following screen will display:

Enforcement ID 2000000667	**Enforcement Action** Warning Letter

Modify Enforcement

Field	Value
Due to:	
Mailing Date	7/15/2014
Mail Received Date	7/17/2014
Unclaimed	☐
Appeal	☐
Hearing Date	
Decision Date	
Decision	
Closed Date	
Tags	Noncompliance 🗑 DOR 🗑

Comments -

0 of 3000 characters.

==Remember to close out the enforcement (by adding the closed date) once the appeal timeline has expired, in cases where an appeal request was not submitted.==

Delete Enforcement

Enforcements may be deleted by clicking on the Delete (trashcan) icon. The Confirm Delete box must be checked.

Enforcement ID 1000039727	**Enforcement Action** 2Nd Probationary License Due To Noncompliance

Delete Enforcement

Field	Value
Mailing Date	
Mail Received Date	
Unclaimed	No
Appeal	No
Hearing Date	
Decision Date	
Decision	
Closed Date	
Comments	
Confirm Delete *	☑

Attached Violations

Violation Type	Rule #	Rule Group	Detection Date
251.04	251.04(2)(c)	(2) administration	02/01/11

Remove violations and uploaded documents before deleting an enforcement.

==**NOTE:** The Enforcement Action field cannot be modified. If the wrong type was chosen, the entire enforcement must be deleted and re-entered. Violations must be unattached and uploaded enforcement-related documents deleted before the enforcement can be deleted. Forfeiture fees must be deleted==

before an enforcement can be deleted.

Licensing: To delete a forfeiture, you must first access the Transaction/Fee screen to withdraw the forfeiture fee. Once the fee is withdrawn, the forfeiture can be deleted. If a collection has been applied to the forfeiture, BITS needs to remove the transaction. Contact BOP IT at DCFDECEBOPIT@wisconsin.gov for assistance.

NOTE: For licensing revocations withdrawn per stipulated settlement agreement, the enforcement and documents must be deleted. They can be uploaded in an alternate area. Discuss this with the OM, Regional Manager and OLC.

Enforcement History

To access the history screen, click on the 'scroll' icon on the Enforcements screen. The History screen highlights the latest changes. Click Next to view the older changes. The date, time and who updated the record is shown for each history screen.

Enforcement Documents

Documents pertaining to enforcements can be uploaded into the enforcement module by clicking on the Documents link next to each enforcement action.

The following document types can be uploaded here:
- Enforcement notice
- Closure Notice
- Document Receipt (copy of the certified mail receipt or print screen from https://www.usps.com/)
- Notice of Withdrawal
- Permit to Reopen
- Unpaid Forfeiture Notice
- Reinstatement Letter
- Hearing Decision
- Stipulation in Lieu of or to Prevent Enforcement
- Receipt of Forfeiture
- Installment Agreement
- Notice of Appearance
- Appeal Letter
- Stipulated Settlement Agreement
- Other

Please refer to the WISCCRS Documents User Guide for more information.

Enforcement Reports

The enforcement reports in Web-I display information on enforcements. For more information on enforcement Web-I reports, view the [Reports User Guide](#).

Enforcements and Category Status

If an applicant/provider's regulatory approval is denied, suspended or revoked, the agency must update the decision or category status, as explained in the [Various Changes in the Provider/Facility Records](#) User Guide (Closing a Site section). The entry in the Enforcement module **does not** transfer the denial, ==suspension or== revocation due to a barred offense on applicant/licensee to the IBIS system. The enforcement module does not transfer information on ==suspensions or== revocations to the CSAW ==or the YoungStar Case Management System==. As soon as the revocation or suspension is entered into the Category screen with an updated End Date, the authorizations will end at the end of the month.

Enforcements − Unregulated Facilities − Licensing only

Forfeitures, direct forfeitures and orders can be entered for Unregulated Facilities.
Below are steps on how to enter an enforcement action against an unregulated provider:

1. Enter <mark>site visit and select</mark> the Unregulated Complaint Visit as the primary visit reason.
2. Click on the Violations link on the right

3. <mark>Click on New Violation link.</mark>
4. On the Violation Rules screen, the only option for unregulated providers is 48.65 (1). Click on 48.65(1).

5. On the New Violation screen, enter the description as "Illegally Operating Program".

6. Navigate to the Complaints/Incidents tab and click on the Enforcement link.
7. Choose the applicable enforcement type on the next screen:
   a. Direct Forfeiture
   b. Forfeiture
   c. Orders Letter
   d. Order with Direct Forfeiture

8. Choose the Unregulated tag from the Enforcement Reasons.

9. On the bottom of the screen, attach the violation to the enforcement by clicking the checkbox next to the violation. This will only show once the site visit and violations issued have been entered.

Violations					
	Violation Type	Rule #	Rule Description	Detection Date	Detection Type
☐	48.65	48.65(1)	Illegally Operating Program	09/26/13	Site Visit

10. If the enforcement is a forfeiture, add the fee by clicking on the Forfeiture link on the Enforcement screen.

Enforcements						
Add New Enforcement						
Enforcement ID	Action Type		Date Mailed	Appeal	Date Closed	Updated Date
2000000541	⊟ Direct Forfeiture - Unregulated Facility		09/26/13	No		09/26/13 ⊘🗑🔖Documents
	Violation Type	Rule #	Rule Description	Detection Date	Detection Type	
Add Related Enforcement	48.65	48.65(1)	Illegally Operating Program	09/26/13	Site Visit	Forfeiture

11. Just like with licensed forfeitures, the fee for unregulated forfeitures is automatically inserted into the Transaction module.

Fees/Adjustments							
New Fee/Adjustment							New Collection
Type	Amount	Balance	Creation Date	Comments	Status		
Forfeiture Fee	($100.00)	($100.00)	09/26/13	Enforcement Id:2000000541	Open ⊘ 🗑 🔖		Documents
Total Amount Due:		**($100.00)**					

Child Care Public Search

Enforcement actions on **licensed and Public School Operated Programs** (PSCH) are transferred to the public search site /Childcare Finder search website (https://childcarefinder.wisconsin.gov/) <mark>the day after they are entered into WISCCRS</mark> and are displayed for three years from the Mailing Date.

Only Warning letters and CBU-related orders are displayed on the public search site for Public School Operated Programs (PSCH).

Enforcements on certified and unregulated providers are not displayed on the public search site.

Below is an example of a licensed enforcement.

Type of Regulation	Date	Type	Appeal	Decision	Violations**
Licensing	08/01/2014	Forfeiture	Yes		250.05(3)(j) (Supervision Of Children While Outdoors) on 08/01/2014: enter violation detail.
Licensing	08/01/2014	Warning Letter	No		250.05(3)(j) (Supervision Of Children While Outdoors) on 08/01/2014: enter violation detail.
					250.07(5)(c) (Meals & Snacks - Minimum Meal Requirements) on 08/01/2014: enter details abt the violation.