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Department of Workforce Development

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August 19, 1999

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The Honorable Bonnie L. Ladwig, Chair
Assembly Committee on Children
and Families
113 West, State Capitol
Madison WI 53708

The Honorable Judith Robson, Chair
Senate Committee on Human Services and Aging
15 South, State Capitol
Madison WI 53707

Re: Clearinghouse Rule 98-205
Child care funds administration, DWD 56

Dear Representative Ladwig and Senator Robson:

DWD is proposing a modification to this rule to correct a drafting error that has been discovered in ch. DWD 55, Wis. Admin Code. The proposed modification restores certified child care regulatory provisions that were mistakenly omitted during the adoption of amendments to ch. DWD 55.

Section 29 is added to the proposed rule to read as follows:

SECTION 29. DWD 55.05(4) and (5) are created to read as follows:

DWD 55.05(4) The county or tribal agency may deny, suspend, revoke or refuse to renew certification and discontinue payment for care if the certified day care operator, day care program employe, provider, assistant to the provider, substitute provider or person living in the family day care provider's home meets any of the following criteria:

- (a) Has been determined to have abused or neglected a child pursuant to s. 48.981, Stats.
- (b) Is the subject of a court finding that the person has abandoned his or her child, has inflicted emotional damage or sexual or physical abuse on a child or has neglected or refused, for reasons other than poverty, to provide necessary care, food, clothing, medical or dental care or shelter so as to seriously endanger the physical health of a child.

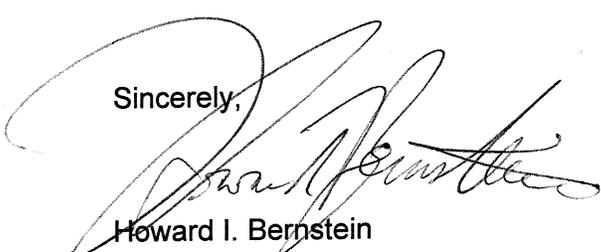
(5) The county or tribal agency may deny, suspend, revoke or refuse to renew certification and discontinue payment for care if any of the following apply:

(a) The provider is not in compliance with certification standards under s. DWD 55.08 or 55.09, as appropriate.

(b) The provider's references or other community information does not support the provider's declaration that he or she is able to provide an acceptable level of child care.

(c) The county or tribal agency determines there is danger to the health, safety or welfare of the children in care.

Sincerely,



Howard I. Bernstein
Legal Counsel

cc: Committee members