

Chapter PW-CY 40

CHILDREN AND YOUTH

PW-CY 40.01	Definitions	PW-CY 40.53	Child care and development
PW-CY 40.02	Licensing	PW-CY 40.54	Social services
PW-CY 40.03	Personnel standards	PW-CY 40.55	Records and reports
PW-CY 40.04	Educational program standards	PW-CY 40.60	Services to the child and his own family
PW-CY 40.05	Health standards	PW-CY 40.61	Services to foster family; casework service
PW-CY 40.06	Administration standards	PW-CY 40.62	Requirements for licensing
PW-CY 40.07	Equipment standards	PW-CY 40.63	Services to the child and the foster family
PW-CY 40.08	Physical plant standards	PW-CY 40.64	Family group and family receiving homes
PW-CY 40.09	Sanitation standards	PW-CY 40.70	Definitions
PW-CY 40.10	Finances standards	PW-CY 40.71	License
PW-CY 40.11	Insurance standards	PW-CY 40.72	Personnel standards
PW-CY 40.20	Revocation of licenses, or certifications	PW-CY 40.73	Program standards
PW-CY 40.30	Adoptions	PW-CY 40.74	Site, facilities and equipment standards
PW-CY 40.40	Organization and administration	PW-CY 40.75	Administration standards
PW-CY 40.41	Personnel and personnel practices	PW-CY 40.76	Health standards
PW-CY 40.42	Social services	PW-CY 40.77	Food standards
PW-CY 40.43	Program of child care	PW-CY 40.78	Sanitation standards
PW-CY 40.44	Records and reports	PW-CY 40.79	Safety standards
PW-CY 40.50	Organization and administration	PW-CY 40.80	Transportation standards
PW-CY 40.51	Personnel and personnel practices		
PW-CY 40.52	Buildings, grounds, and equipment		

PW-CY 40.01 Definitions. (1) **DAY CARE CENTER** means a facility where a person or persons provide, for compensation and/or consideration for service, group care for 4 or more children under 7 years of age, for less than 24 hours a day.

(2) **DEPARTMENT** means the Wisconsin State Department of Public Welfare.

(3) **DIVISION** means the Wisconsin State Division for Children and Youth.

History: 1-2-56; am. Register, June, 1956, No. 6, eff. 7-1-56; r. and recr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.02 Licensing. (1) **LICENSE REQUIREMENTS.** Day care centers providing group care for 4 or more children under 7 years of age and operating for compensation and/or consideration for services must be licensed.

(2) **LICENSE PROCEDURES.** (a) A non-transferable license shall be secured annually from the department, upon appropriate application and compliance with these rules and standards. This license shall be prominently displayed at the center.

(b) Each license shall bear the name of the center, the name of the person licensed and a description of the premises.

(c) The number of children specified on the license is the maximum number to be received or to be cared for at one time.

(d) There is no fee charged for the license.

(3) **TYPES OF DAY CARE CENTER LICENSES.** The type of license issued indicates the professional training of the staff and the adult-child ratio. (a) Nursery school is a center which has at least one teacher certified by the department of public instruction, and has one nursery school teacher for every 25 children.

(b) Nursery center is a center which meets the rules and standards for a day care center but does not have the minimum of certified teachers per group of children.

(4) **LICENSING EXEMPTIONS.** No license is required for a person or persons who provide: (a) Care for children in the child's own home and/or in the homes of relatives or guardians.

(b) Care in centers conducted by public and parochial schools.

(c) Care given to children on church premises while their parents are attending religious services.

(5) **APPLICATION FOR LICENSE.** An application for a license, which shall be made in writing to the department, shall include: (a) A statement from the state industrial commission or local building inspector showing approval of the premises for the use intended.

(b) A statement of the purpose of the day care center.

(c) A description of the program and activities designed to carry out the purposes.

(d) A floor plan of all of the rooms and outdoor play area.

(e) A completed application form.

(6) **RENEWAL OF LICENSE.** Application for a renewal of a license shall be made:

(a) Each year in writing to the department on specified forms.

(b) Whenever there is a change in the conditions described on the last license issued.

(7) **EVALUATION.** (a) A representative of the department shall visit and study each day care center before the initial licensing and each subsequent renewal. The representative shall submit to the department a written evaluation indicating whether the required rules and standards have been met. He may visit any time to assure continued compliance.

(b) Each center shall have the continued supervision and consultation of the department and shall submit required reports.

(c) The department at its discretion shall have the authority to make exceptions to any rule or standard when it is assured that the granting of such an exception will not be detrimental to the children attending the center.

(8) **PROVISIONAL LICENSES.** A provisional license may be issued and renewed in 6 month periods up to 2 years to any center whose services are needed, but is temporarily unable to conform to all established minimum requirements.

(9) **REVOCAION OF LICENSE.** (a) The right to operate is dependent upon continued compliance with required rules and standards.

(b) The license may be revoked in accordance with subsections 48.71 (1) and (2), Wis. Stats., and with Wis. Adm. Code section PW-CY 40.02 dealing with license procedures.

5. When a positive diagnosis of a communicable disease is made, the families of exposed children shall be notified by the center and such children shall be watched for symptoms of the disease.

(b) *Recommended standard.* Staff should be continually alert for any symptoms of illness.

(6) **FIRST AID.** (a) *Required standards.* 1. Every center shall have a supply of rolled bandages, tape, and bandaids.

2. Superficial wounds shall be cleansed with soap and water and protected.

(b) *Recommended standards.* 1. First aid care should be provided by the staff nurse, when one is employed, or by a regular staff member having the equivalent of Red Cross first aid training.

2. Suggested items for an adequate first aid kit can be found on page 5, School Health Emergencies pamphlet, State Board of Health.

(7) **WEIGHING AND MEASURING.** (a) *Recommended standard.* Height and weight measurements should be entered on the physical examination form. Thereafter, children should be weighed and measured every three months and entries should be made on the child's health card. Failure to gain in weight and height for two successive periods should be an indication of a need for a medical examination.

(8) **REST PERIODS.** (a) *Required standards.* 1. When a session is more than 4 hours in length, the nap period shall be one hour or longer for all children under 5 years of age.

2. There shall be a mid-session quiet period for children who attend for less than 4 hours.

(9) **MEDICATION.** (a) *Required standard.* While at the center no prescribed medication shall be given to a child, except by a physician or registered nurse, nor shall a child be permitted to take such medication.

(10) **PROVISION OF FOOD.** (a) *Required standards.* 1. When a session is more than 4 hours, children shall be served a regular meal, which shall supply at least one-third of the daily food needs.

2. When there is a 3 to 4 hour session, a simple mid-session snack, such as fruit juice, shall be provided.

(b) *Recommended standard.* Menus should be made available to parents in order that they may adjust the child's diet at home to adequately meet the daily food needs.

History: 1-2-56; r. and rec. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.06 Administration standards. (1) **RECORDS AND REPORTS.**

(a) *Required standards.* 1. All published statements such as brochures, publicity, etc. shall be accurate and complete.

2. Required records shall be readily available.

(2) **CHILDREN'S RECORDS.** (a) *Required standard.* Current information shall be maintained on each child attending the center and shall include:

1. Name, birth date, full names of both parents or guardians.

2. Home address of parents, work addresses, and telephone number of parents.

3. Name, address, and telephone number of physician caring for the child.

4. Name, address, and telephone number of person to be notified in case of emergency, when parents cannot be reached.
5. Written consent of parent to contact family or center physician in case of emergency.
6. Record of all physical examinations, first aid, and any other matters relating to the child's health.
7. Date child enters and leaves the center.
8. Record of daily attendance of each child.

(3) **PERSONNEL RECORDS.** (a) *Required standards.* 1. There shall be maintained a record for each employe, which shall include: name, address, age, training, education, experience, and other qualifications.

2. Report of physical examination at time of employment and subsequent annual examinations.

3. Persons to be notified in the event of an emergency.

4. Personnel forms and character references on all staff members shall be made available upon request.

(4) **PERSONNEL PRACTICES.** (a) *Recommended standards.* 1. A periodic written evaluation of each employe by his supervisor is desirable.

2. There should be a written statement on file at the center of personnel practices and policies, which should include hours of work, vacation, sick leave, leave of absence, and salary schedules. In addition, there should be channels for complaints and suggestions.

(5) **STATISTICS.** (a) *Required standard.* Centers shall submit the statistical report required by the department.

History: 1-2-56; r. and recr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.07 Equipment standards. (1) **PLAY EQUIPMENT.** (a) *Required standards.* 1. There shall be equipment to meet the varied developmental needs and interests of children of different age groups.

2. There shall be equipment outdoors and indoors to assure variety in active physical play and creative learning experience for the children attending the center.

3. There shall be equipment for climbing, swinging, sliding, riding, pushing, and pulling, and material such as sand, in which to explore and dig, large building blocks and building toys, creative materials for art, music, literature, science, woodworking and manipulative toys.

(2) **FURNISHINGS.** (a) *Required standards.* 1. Tables and chairs shall be of suitable size for children.

2. There shall be low, open shelves for the storage of play materials.

3. There shall be sufficient work space for children.

4. There shall be individual space for children's clothing. This space may be provided by such things as lockers and/or low hooks.

5. All furnishings and equipment shall be durable and safely constructed so that there are no sharp, rough, loose, or pointed edges which could injure children.

History: 1-2-56; am. Register, June, 1956, No. 6, eff. 7-1-56; r. and recr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.08 Physical plant standards. (1) **BUILDING.** (a) *Required standards.* 1. Day care centers shall be in conformity with Wis. Adm. Code, chapters Ind 50-59 (Industrial Commission Building Code).

Register, July, 1966, No. 127

2. There shall be an inspection of each building by the industrial commission or local building inspector to determine compliance with local and state regulations. The inspector will file with the department a written statement of conformity with all local regulations as regards safety and fire protection.

3. All electrical work shall conform to the Wisconsin state electrical code, of the State Industrial Commission. All electrical work shall be inspected periodically.

4. No day care center may be located in a convalescent or maternity home or in a rooming house or boarding house for adults.

5. Only floors having at least 2 exits to the ground level shall be used for children.

6. If a third floor of a non-fire resistive building is used, all stairways shall be enclosed with one-hour fire resistive partitions and doors.

7. All stairways shall be equipped with railings suitable for the use of children; stairways and corridors shall be kept clear and unobstructed at all times.

8. Basement rooms, which comply with inspection, may be used for children only for active play.

9. The heating plant shall conform with Wis. Adm. Code, chapter Ind 59, Industrial Commission Building Code.

10. Space designated for use by the children shall be available for the children only and not used for other purposes while the center is open.

(b) *Recommended standard.* First floor rooms are most desirable for all activities in day care centers.

(2) **LIGHTING.** (a) *Required standard.* There shall be a minimum of 20 foot candles of illumination throughout every room as measured on a light meter maintained on a horizontal plane 24" above the floor.

(3) **VENTILATION.** (a) *Required standard.* There shall be either a ventilating system or outside windows, which conform to Wis. Adm. Code, chapter Ind 59, Industrial Commission Building Code.

(4) **ROOM TEMPERATURES.** (a) *Required standard.* A temperature of not less than 68 degrees shall be maintained as measured 18 inches from the floor.

(5) **PROTECTIVE MEASURES.** (a) *Required standards.* 1. Fireplaces and steam radiators, shall be protected by screens or guards.

2. Dangerous items, such as drugs and firearms which are located anywhere on the premises, shall be under lock.

3. Materials harmful to children, such as cleaning materials and matches, shall be kept out of the reach of children.

4. Each floor of the day care center shall be equipped with the required number of fire extinguishers approved by the Underwriters' Laboratories. Automatic carbon tetrachloride extinguishers are prohibited.

5. Each extinguisher shall be inspected by a competent person once a year and shall bear a label indicating its present condition and the date of inspection.

6. The center shall have a telephone and an available list of emergency telephone numbers.

(6) **PLAY SPACE.** (a) *Required standards.* 1. Indoors, the space used by the children shall include 35 square feet of floor space per child, exclusive of hallways, bathrooms, lockers, laundry and furnace rooms, and that part of the kitchen occupied by stationary equipment.

2. Outdoors, there shall be at least 75 square feet per child of safe play space.

3. The outdoor play space shall be enclosed in such a manner as to prevent the children from leaving the premises without proper supervision.

4. Outdoor play areas shall be well drained.

(b) *Recommended standards.* Part of the outdoor play space should have a hard surface. Provision should be made for shade in part of the play area.

(7) **SLEEPING FACILITIES.** (a) *Required standards.* 1. There shall be at least 35 square feet of floor space per child and not less than 280 cubic feet of air space in sleeping rooms.

2. If the center is in operation more than 4 hours a day, sleeping facilities shall be provided.

3. Individual cots or beds are required for children attending more than 4 hours.

4. Individual bedding, sufficient to maintain warmth, shall be provided either by the parents or by the center. Covers shall be laundered as needed and always upon change of occupancy.

5. Children shall not use beds of members of the household.

6. Rows of cots shall be separated by at least 2 feet. If there are not partitions between cots, head to toe sleeping arrangements shall be made.

7. Children may rest on rugs in half-day programs only. Each child shall have his own rug. Rugs shall be washed frequently.

History: 1-2-56; r. and rec. Register, October, 1961, No. 70, eff. 11-1-61; a.m. (1) (a) 1., 9., and (3) (a), Register, July, 1966, No. 127, eff. 8-1-66.

PW-CY 40.09 Sanitation standards. (1) **INSPECTION.** (a) *Recommended standard.* There should be an initial inspection of each building by the state board of health or the local health department. Provision should be made to insure continuing conformance to all state and local regulations with regard to sanitation, water supply, garbage, and sewage disposal.

(2) **DRINKING WATER.** (a) *Required standards.* 1. A supply of safe drinking water shall be readily available at all times from a drinking fountain of the angle jet type or by use of individual cups.

2. The water supply shall be of safe, sanitary quality and shall be obtained from a water supply system the location, construction, and operation of which shall comply with the standards approved by the state board of health.

(3) **MILK.** (a) *Required standard.* All milk used for drinking shall be certified as pasteurized Grade A.

(4) **WASHROOM AND TOILET FACILITIES.** (a) *Required standards.* 1. Toilets of the water flush type shall be used and connected with a sewage system which has been approved by the state board of health.

2. Separate places for each child's individual washcloth, towel, comb, and clothing (which are to be kept clean) are to be provided.

(b) *Recommended standards.* 1. One toilet and one wash basin should be provided for every 10 children under care.

2. The toilets and wash basins should be of a height and suitable size for children.

3. The floor of the toilet rooms should conform with the Wisconsin state building code.

4. The use of paper towels is recommended.

(5) **SCREENS.** (a) *Required standard.* Window and doorway openings shall be properly screened in season.

(6) **HOUSEKEEPING.** (a) *Required standard.* The premises shall be neat and clean.

(7) **REFRIGERATION.** (a) *Required standards.* 1. All perishable food and drink shall be stored in a refrigerator, which shall have a temperature maintained at or below 50 degrees Fahrenheit.

2. Perishable foods include milk and milk products, meat, fish, poultry, shell fish, eggs, gravies, poultry stuffing, salad and other mixtures containing any of the above foods.

(8) **FOOD PREPARATION FACILITIES.** (a) *Required standards.* 1. If food is served, facilities shall be provided for preparation, storage, and serving in a sanitary condition.

2. Dishes and utensils shall have smooth, hard surfaces, which are free from cracks, chips, and roughened areas.

3. The food preparation table surface shall be smooth, nonabsorbent and easily cleaned.

4. Eating and drinking utensils and all utensils used in food preparation, storage, and service shall be promptly and properly cleaned. Dishwashing procedure and care of equipment shall comply with state, local and county sanitation laws. In the absence of such laws, dishes and utensils shall be sterilized by scalding or chemicals, or disposable dishes are used. All utensils shall be stored in clean, dust-proof and vermin-proof cabinets that are tightly enclosed on all sides.

History: 1-2-56; r. and recr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.10 Finances standards. (1) **FINANCES.** (a) *Required standard.* Each center shall have, and be able to show, a source of funds sufficient to insure continuous operation in accordance with the standards.

History: 1-2-56; r. and recr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.11 Insurance standards. (1) **INSURANCE.** (a) *Required standard.* Each center shall carry workmen's compensation insurance in accordance with chapter 102, Wis. Stats., and comply with provisions of the federal social security act.

(b) *Recommended standard.* Each center should carry public liability insurance.

History: 1-2-56; r. and recr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.12

History: 1-2-56; r. Register, July, 1966, No. 127, eff. 8-1-66.

PW-CY 40.13

History: 1-2-56; r. Register, July, 1966, No. 127, eff. 8-1-66.

PW-CY 40.20 Revocation of licenses, permits or certifications. (1) **DEFINITIONS.** As used in these rules, "license" means any license, permit, certification or other grant of authority issued and subject to suspension or revocation by the state department of public welfare; "department" means the state department of public welfare; "hearing" includes a joint hearing by the department and any other administrative agency; "revocation or suspension" of licenses includes refusal to renew the same.

(2) **HOW PROCEEDINGS INITIATED.** Proceedings to revoke or suspend licenses may be initiated in one of 2 ways:

(a) On a verified complaint by an individual or an officer required by law to enforce the law in question, filed in triplicate (original and 2 copies) with the department;

(b) By the department on its own motion, whenever its investigation discloses probable grounds for action. The director of the division for children and youth may act for the department in initiating proceedings under this subsection.

(3) **STYLE OF PLEADINGS.** All pleadings, notices, orders and other papers filed in such proceedings shall be captioned "Before the Wisconsin State Department of Public Welfare" and shall be entitled "In the Matter of the Revocation or Suspension of the _____ (license, permit, or certification) of _____, Respondent." The party whose license is involved shall be known and designated as the "Respondent."

(4) **COMPLAINT ON DEPARTMENT'S INVESTIGATION.** If the complaint is founded upon an investigation made by the department, it shall be incorporated in the notice of hearing and statement of issues as prescribed by (7).

(5) **FORM OF CAUSES.** If the alleged cause is a continuing one, its general nature and the approximate time covered shall be stated in the complaint or notice of hearing; if a specific incident is relied on, it shall be alleged with such particularity as to time, place and circumstances as may be necessary to enable the respondent to prepare his defense; and in either case the cause may be alleged in the language of the statute or rule claimed to be involved, and shall conclude: "contrary to sec. _____ of the statutes" or "contrary to rule _____" of the rules and regulations of the department governing _____, or both. Separate causes shall be stated in separate paragraphs and numbered consecutively.

(6) **PROCEDURE UPON FILING OF COMPLAINT.** Upon the filing of a complaint as prescribed by (2) (a), the director of the division for children and youth shall cause an investigation to be made of the matters alleged to determine whether there is probable cause for action and if he determines that there is such probable cause he shall order a hearing as prescribed by (7) and also notify the complainant thereof. If he determines that no further action is warranted he shall notify the complainant, who may appeal in writing to the director of the state department of public welfare, who shall review the files of the director of the division for children and youth and may affirm his decision, order further investigation or order a hearing on the charges. Provided, that in any case where a hearing has been ordered, the respondent has no standing to attack the determination of the

director of the division for children and youth or the director of the state department of public welfare in ordering such hearing, but shall be required to plead to the merits.

(7) NOTICE OF HEARING AND STATEMENT OF ISSUES. Notices of hearing shall be addressed to the respondent or respondents at his last known post-office address, shall include the statement of issues and shall be in substantially the following form:

(a) If on complaint filed as provided in (2) (a), such complaint shall be attached to the following notice:

“To _____ (name)

_____, Wis.
Respondent

“Please take notice that a hearing will be held on the _____ day of _____, 19____, at room No. _____ (or other proper designation) of the _____ Building (or other proper designation, No. _____ St., in the city of _____, Wisconsin, at _____ o'clock ___M, or as soon thereafter as the matter may be reached, on the question whether the _____ (license, permit or certification) heretofore issued to the above named Respondent pursuant to sec. _____, Stats., should be suspended or revoked. The issues involved and the causes there to be considered are (as set forth in the attached complaint) to which you are required to make answer in writing at least _____ days before the time set for said hearing.

“Dated at Madison, Wisconsin this _____ day of _____, 19____.

“WISCONSIN STATE DEPARTMENT OF PUBLIC WELFARE

By _____
Director, Division for Children and Youth

(b) If on only part of the causes set forth in such complaint, the form set forth in subsec. (a) shall be altered by inserting in lieu of the matter enclosed in brackets: “as set forth in paragraphs _____, _____, and _____ of the attached complaint.”

(c) If initiated on the department’s own motion, the form set forth in subsec. (a) shall be altered by inserting in lieu of the matter enclosed in brackets:

“the following:
“1. _____
“2. _____
“3. _____”

(d) If in part on complaint and in part on causes initiated by the department on its own motion, the form set forth in (a) shall be altered by inserting in lieu of the matter enclosed in brackets:

“as set forth in the attached complaint, (or paragraphs _____, _____, and _____ of the attached complaint), together with the following additional issues and causes:

“1. _____
“2. _____
“3. _____”

(8) ANSWER. The answer of the respondent shall be verified, unless an admission of the allegations might subject the party to prosecution for a felony, and shall be filed with the director of the division for children and youth in triplicate (original and 2 copies) within at least one-half the time intervening between the notice of hearing and the time set for said hearing, and such time for answer shall be stated in said notice as required by (7). The answer must contain:

(a) A specific denial of each material allegation of the causes controverted by the respondent.

(b) A statement of any new matter constituting a defense or mitigating circumstances charged, which the respondent wishes to have considered.

(9) ADMISSION BY NOT DENYING. Every material allegation of the causes not controverted as prescribed shall be taken as true, but new matter in the answer shall be deemed controverted without any reply being served or filed.

(10) DEFAULT; RELIEF THEREFROM. In case the respondent fails to submit an answer as required by (8), or fails to appear at the hearing at the time fixed therefor, the causes specified may be taken as true and the department may make findings and enter its order on the basis of the facts revealed by the preliminary investigation. But the director of the division for children and youth officer or the department may, for good cause shown, relieve the respondent from the effect of such default and permit him to answer and defend the proceeding, at any time before the department enters its order or within 60 days thereafter.

(11) SERVICE AND FILING OF PAPERS. Notice of hearing shall be given by personal service, but all other notices, orders and other papers may be served by the director of the division for children and youth or the department by first class or registered mail addressed to the party at his last known post office address, or to his attorney of record. Papers required to be filed with the department or the director of the division for children and youth may be mailed to the following address:

311 State Street
Madison (3), Wisconsin

(12) CONDUCT OF HEARINGS; CONTINUANCES; APPEARANCES; EXAMINATION OF WITNESSES. Unless otherwise ordered by the department, all hearings shall be conducted on behalf of the department by the director of the division for children and youth or some other member of the division designated by him. Continuances and adjournments may be granted by such presiding officer for cause shown. The respondent may appear in person or by any officer, regular employe or attorney. The complainant may likewise so appear. Witnesses competent to take an oath shall be sworn by the presiding officer and may be examined on behalf of the department by the presiding officer or by a representative of the attorney-general acting as counsel for the department, or, with the permission of the presiding officer, by any employe of the department or by any complainant or his attorney. The respondent or any of his agents, officers or employes may be examined adversely as prescribed by section 325.14, Wis. Stats.

(13) **SUBPOENAS.** The director of the division for children and youth may sign and issue subpoenas, whether he is to conduct the hearing or not.

(14) **PREHEARING CONFERENCES.** Prehearing conferences may be held at the convenience of the parties and shall be conducted by the director of the division for children and youth or other member or employe of the division designated by him, who shall keep and preserve a record of any agreement as to the issues or stipulation or admission of fact which may be made at such conference. Such record shall be attached to the file and constitute a part of the official record of the case.

(15) **ARGUMENTS.** Except as provided in section 227.12, Wis. Stats., arguments shall be submitted to the department in writing, unless otherwise ordered. Five copies of such written arguments shall be filed with the director of the division for children and youth. The time for filing arguments shall be fixed by the officer presiding at the hearing.

(16) **VARIANCES.** The provisions of section 263.28, Wis. Stats., with reference to variances between the allegations and the proof, shall apply to proceedings under these rules.

PW-CY 40.30 Adoptions. (1) **SERVICES OF ADOPTION AGENCIES TO THE ADOPTIVE CHILD AND ITS NATURAL PARENTS SHALL INCLUDE:**

(a) The agency shall provide opportunity for discussion of the situation to help the family and the agency determine whether the services of the agency are suitable.

(b) An agency accepting responsibility for the natural family and child shall offer casework services to natural parents.

(c) In considering plans for their child, parents shall be told about the alternatives of keeping or releasing the child: They shall be informed about the appropriate resources and shall be helped to an understanding of the implications of the choice they make.

(d) If the decision is to give up the child, the agency shall help the parent and the child throughout the process of separation.

(e) In making the investigations required by section 48.88 (2) (a), Wis. Stats., and in exercising its authority under sections 48.61 (3), (5) and 48.64, Wis. Stats., the agency shall obtain pertinent information about the family, its religious, cultural, social and economic background and the health, personalities and capacities of individual members.

(f) In accord with sections 48.61 (3), (5), and 48.64, Wis. Stats., a careful study shall be made of the child's individual characteristics and his capacities and potentialities for growth.

(g) A general physical examination (and special tests and examinations as indicated) by a licensed physician shall be given the child.

(h) Before the child is placed for adoption, the agency shall be certain that all rights of the parent or parents have been permanently terminated pursuant to section 48.40, Wis. Stats., or that the child has no parents.

(i) At the time of the termination of parental rights, the agency shall make certain that guardianship is established pursuant to section 48.43, Wis. Stats.

(2) SERVICES OF ADOPTION AGENCIES TO ADOPTIVE APPLICANTS SHALL INCLUDE: (a) Written or personal inquiries about adoption shall be handled expeditiously and an appointment for an initial interview with a social worker made as soon as possible.

(b) The agency shall make known and explain the content, meaning and purpose of its policies and practices.

(c) Agencies serving children who need adoptive homes shall interpret to adoptive applicants the needs of such children for normal home life.

(d) The agency shall give the couple information about adoption as it relates to them.

(e) The agency shall seek to understand the couple's motivation for adopting children.

(f) If the couple is childless, the agency shall seek to ascertain the reason for their childlessness and its significance for them.

(g) Through this study, the agency shall determine the couple's maturity; their health; their capacity for loving the child and insuring his acceptance by the community, for providing moral and spiritual guidance, a happy and stable home, reasonable financial security; and shall secure information concerning the couple's relatives and friends.

(h) The agency shall determine through their study the sort of child whose needs the family can best meet.

(i) The caseworker shall give information regarding agency procedures and discuss with the applicants how they will work together during the study, placement, and supervisory period.

(k) Appropriate medical opinions shall be secured regarding the health of adoptive applicants.

(l) There shall be sufficient interviews with the husband and wife together and separately to achieve the purposes of the home study.

(3) THE PLACEMENT PROCESS FOR ADOPTIVE CHILDREN SHALL INCLUDE: (a) When a child is ready for adoptive placement, the evaluation of his potentialities and needs shall be considered in relation to the evaluations of the homes studied. The home best suited to the particular child shall be chosen.

(b) The child, his personality, potentialities and needs shall be discussed with the selected adoptive parents.

(c) If these discussions result in agreement to continue the placement process, arrangements shall then be made for the selected adoptive parents to see the child and become acquainted with him.

(d) Time shall be allowed for the selected adoptive parents to consider and discuss their reactions to the child.

(e) If the agency concludes that the reactions of the selected adoptive applicants and the child are satisfactory, arrangements for placement may be made.

(f) The agency which places the child in an adoptive home shall secure the signatures of the applicants to an agreement in conformity with section 48.64, Wis. Stats., which shall insure the right of the agency to visit the child, give directions for his care, evaluate his adjustment, and, if necessary, remove the child at the discretion of the agency. The worker shall explain the significance of this agreement.

(g) The worker shall prepare the family for the supervisory period by giving further information regarding procedure and their relationship to the agency.

(4) SUPERVISION BY THE ADOPTION AGENCY AFTER PLACEMENT OF AN ADOPTIVE CHILD UNTIL ITS ADOPTION SHALL INCLUDE: (a) The agency shall provide casework service after the child is in the home in order to evaluate the placement and to assist in the adjustment between the child and the family.

(b) The agency shall remove the child from his adoptive home when his best interests demand such removal.

(c) The agency shall see to it that the adoptive parents are informed of the nature of the court hearing, and of the responsibility of the parents and the agency in completing the legal adoption.

History: 1-2-56; am. (1) (e), (f), (h), (i) and (3) (f) and r. (2) (j). Register, July, 1966, No. 127, eff. 8-1-66.

