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Chapter HFS 55

DAY CAMPS FOR CHILDREN AND DAY CARE PROGRAMS ESTABLISHED BY SCHOOL BOARDS

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Note: Sections HSS 55.01 to 55.44 as they existed on October, 1984 were repealed and new sections HSS 55.01 to 55.44 were created effective November 1, 1984. Corrections made under s. 13.93 (2m) (b) 6. and 7., Stats., Register, January, 1997, No. 493. Chapter HSS 55 was renumbered chapter HFS 55 under s. 13.93 (2m) (b) 1., Stats., and corrections made under s. 13.93 (2m) (b) 7., Stats., Register, February, 1997, No. 494.

Preface

Section 48.65, Stats., requires that persons who provide, for compensation, care and supervision for 4 or more children under 7 years of age for less than 24 hours a day must be licensed by the department.

The same statute directs the department to establish rules which must be met for a person to qualify for a license and which protect and promote the health, safety and welfare of the children in a day care center. Chapter HFS 55 represents the minimum level of acceptable care that a licensee is to provide to children in a day camp in Wisconsin. Chapter HFS 45 represents the minimum level of acceptable care that a licensee is to provide to children in a family day care center serving 4 to 8 children. Chapter HFS 46 represents the minimum level of acceptable care that a licensee is to provide to children in a group day care center serving 9 or more children. The rules should not be confused with accreditation by professional organizations which is based upon conformity with ideal rather than minimal standards.

Chapter HFS 55 also references standards and procedures for determining compliance of day care programs established by school boards with licensing standards.

Clearly, the fact that a day camp is licensed in no way diminishes the responsibility of parents for vigilance in seeing that their children are receiving care which protects their physical well−being and encourages healthy intellectual and emotional development.

Subchapter I — Day Camps for Children

HFS 55.01 Scope. Sections HFS 55.01 to 55.44 apply to day camps for children.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84; am. Register, August, 1989, No. 404, eff. 9−1−89; am. Register, January, 1997, No. 493, eff. 8−1−97; correction made under s. 13.93 (2m) (b) 7., Stats., Register, July, 1999, No. 523.

HFS 55.02 Authority and purpose. (1) AUTHORITY. This subchapter is promulgated under the authority of s. 48.67, Stats.

(2) PURPOSE. The purpose of this chapter is to protect and promote the health, safety and welfare of children in day care centers [camps] in Wisconsin.

(3) CONSTRUCTION. This chapter shall be liberally construed to effect the objectives in sub. (2).

(4) EXCEPTION TO RULES. The department may grant a variance to a requirement of this chapter when it is assured that the health, safety and welfare of the children served will not be jeopardized. A request for a variance shall be in writing, shall be sent to the department, and shall include justification for the requested action and an explanation of the alternative provisions planned to meet the intent of the rule.

Note: A request for an exception to a requirement of this chapter should be sent to the appropriate field office of the Department's Division of Children and Family Services. See Appendix A for addresses of those field offices.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1989, No. 404; am. (1), Register, January, 1997, No. 493, eff. 2−1−97; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, July, 1999, No. 523.

HFS 55.03 Applicability. This chapter applies to all day care centers, whether the facility in which the child care and supervision are provided is known as a day care center, day camp, camp, day nursery, nursery school, preschool, head start or other designation, except that it does not apply to family day care centers which are regulated under ch. HFS 45, to group day care centers which are regulated under ch. HFS 46 or to:

(1) Group lessons to develop a talent or skill, such as dance or music, social group meetings and activities, group athletic activities and religious education classes where a child attends for 2 hours or less a day or 5 hours or less a week;

(2) Care and supervision while the parents are on the premises and are engaged in shopping, recreation or other non−work activities;

(3) Seasonal programs of 10 days or less duration in any 3−month period, including day camps, vacation bible school and holiday child care programs;

(4) Care and supervision in emergency situations; and

(5) Care and supervision while the parent is employed on the premises if the parent's child receives care and supervision for no more than 3 hours a day.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84; emerg. am. eff. 4−22−85; am. Register, August, 1985, No. 356, eff. 9−1−85; am. (intro.), Register, August, 1989, No. 404, eff. 9−1−89; am. (intro.), Register, January, 1997, No. 493, eff. 2−1−97; correction in (intro.) made under s. 13.93 (2m) (b) 7., Stats., Register, July, 1999, No. 523.

HFS 55.04 Definitions. In this subchapter:

(1) "Assistant child care teacher" means a child care worker who works under the supervision of a child care teacher.

(2) "Base camp" means the permanent premises, public or private, on which the day camp is operated.

(3) "Camp director" means the individual on the campsite who is responsible for the administration of the camp, including program operations, business operations, food service, health service, and other supportive services.

(4) "Care" means providing for the safety and the developmental needs of a child in a day camp.

(5) "Child care teacher" means a child care worker who plans and implements daily activities for a designated group of children.

(7) "Compensation" means salary or wage or other material consideration such as gifts or compensatory labor received for the care and supervision of children. "Compensation" does not include cooperative arrangements made between 2 or more par-

ents for the exchange of child care and supervision, and the payments made by them for the actual cost of equipment, supplies or facilities incidental to the operation of the cooperative arrangements.

(8) "Counselor" means a staff member who works directly with children.

(9) "Day camp" or "camp" means a licensed day care center that provides an experience in a seasonal program oriented to the out−of−doors for periods less than 24 hours a day.

(10) "Day care center" or "center" means a licensed facility where a person, other than relative or guardian, provides care and supervision for 4 or more children under 7 years of age, for less than 24 hours a day and for compensation.

(11) "Department" means the department of health and family services unless otherwise noted.

(12) "Family day care center" means a center regulated under ch. HFS 45 that provides care and supervision for 4 to 8 children.

(13) "Field trip" means any experience a child has away from the premises of the center while under the care of center staff.

(14) "Group" means a specific number of children who have the same child care worker responsible for the children's well−being and meeting the children's basic needs and who are cared for in the same self−contained room or area at the center.

(15) "Group day care center" means a center regulated under ch. HFS 46 that provides care and supervision for 9 or more children.

(16) "Infant" means a child under one year of age.

(17) "Licensee" means the corporation, individual, partnership or nonincorporated association or cooperative which has legal and financial responsibility for the operation of a day care center and for meeting the licensing rules.

(19) "Parent" means either "parent" as defined in s. 48.02 (13), Stats., or "guardian" as defined in s. 48.02 (8), Stats.

(20) "Parent cooperative" means a center organized by parents for their preschool children in which the parents have decision−making authority to establish and change policy, program and personnel practices.

(21) "Parochial or private school" means an educational program which meets all the criteria specified under s. 118.165 (1), Stats., or as determined by the superintendent of public instruction under s. 118.167, Stats.

(22) "Physician" has the meaning prescribed in s. 448.01 (5), Stats.

(23) "Premises" means a tract of land with buildings, structures or shelters on it.

(24) "Self−contained room or area" means a room separated by permanent walls or an area separated by permanent or portable partitions or dividers acting as a visual barrier which:

(a) Is reserved for a specific group of children; and

(b) Contains the indoor equipment and furnishings required for that group.

(25) "Supervision of children" means guidance of the behavior and activities of children for their health, safety and well−being.

(26) "Supervision of staff" means guidance of the behavior and activities of center employees which may include provision of instructions to carry out activities for limited periods of time out of sight or hearing of the supervisor.

(27) "Toddler" means a child at least one year of age but less than 2 years of age.

(28) "Volunteer" means a person who agrees to give time, without compensation, to provide transportation or to work with children in a day care center.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84; am. (18), r. (24), renum. (25) to (29) to be (24) to (28), Register, August, 1989, No. 404, eff. 9−1−89; correction in (intro.) made under s. 13.93 (2m) (b) 7., Stats., Register, August, 1989, No. 404; am. (4), (12) and (15), r. (6) and (18), Register, January, 1997, No. 493, eff. 2−1−97; corrections in (intro.), (15) and (19) made under s. 13.93 (2m) (b) 7., Stats., Register, July, 1999, No. 523; **correction in (12) made under s. 13.93 (2m) (b) 7., Stats., Register December 2004 No. 588.**

HFS 55.05 Licensing administration. (1) LICENSING PROCEDURES. (a) A person making an inquiry to the department about obtaining a license to operate a group day care center or a day camp shall be:

1. Provided with the relevant parts of this chapter;

2. Given other written materials or listings of publications about establishing a day care center;

3. Offered an opportunity to meet with a departmental representative to discuss the materials;

4. Supplied with the necessary forms if licensing is desired; and

5. Assisted through the licensing process by a departmental representative.

Note: The licensure application form, CFS−782, may be obtained from any department regional office.

(b) An applicant shall file an application and other materials required for group day care center or day camp licensure and licensure renewal on forms provided by the department at least:

1. Sixty days prior to the date proposed for the center to begin operating;

2. Except for day camps, 30 days prior to the end of the current licensing period;

3. Forty−five days prior to opening an additional center;

4. Thirty days prior to changing the address of the center; and

5. Thirty days prior to new ownership of the center.

(c) Group day care centers and day camps shall include the following materials when submitting an application for licensure:

1. A clearly defined statement of purpose as it relates to the provision of child care services;

2. A signed statement by the applicant or licensee accepting legal responsibility for complying with applicable parts of this chapter;

3. The articles of incorporation and by−laws if the center is organized as a corporation, association or cooperative;

4. A signed authorization which permits the department to make whatever investigation it considers necessary for the verification of pertinent application information;

5. Specifications regarding the center's premises as follows:

a. Group day care applicants shall submit a diagrammatic floor plan of the center, including room dimensions and room usage, and a diagram of the outdoor areas, including area dimensions, location and enclosures;

b. Day camp applicants shall submit a general description of the camp area, geographic location and size of the base camp; and

c. Day camps operating without a base camp and having a program consisting primarily of day trips shall submit the proposed itinerary of day trips to the department.

6. Group day care and day camp applicants shall include a written delegation of administrative authority signed by the licensee which outlines the organizational structure and designates, in a chain of command form, those persons on the premises in charge of the center for all hours of operation;

8. Day camp applicants shall include:

a. A statement from the state laboratory of hygiene or a state approved laboratory indicating that the water source has been tested and found to be safe; and

b. The name, address and telephone number of the person to be contacted by the licensing representative for the pre−camp licensing review.

(d) Within 20 working days after receiving an application for initial licensure, a departmental representative shall contact the applicant in person or by phone and develop a check list for the

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applicant to utilize in meeting pre−licensing requirements, including:

1. Necessary building inspections;

2. Required equipment, furnishings and supplies;

3. Requirements for staffing and staff qualifications;

4. Required safety and sanitation equipment and supplies; and

5. Required written policies and procedures.

(e) When the applicant determines that all requirements on the check list have been met, the applicant shall notify the departmental representative.

(f) Within 20 working days after the notification under par. (e) the departmental representative shall survey the day care center site to determine whether the applicant has complied with all of the requirements.

(g) When the applicant is found to be in compliance with all requirements, the department shall issue a day care center license within 5 working days from the date of completing the survey study.

(h) If the applicant is not in compliance, the department shall specify in writing the areas of non−compliance and the applicant shall have an opportunity to make the necessary changes and shall be re−surveyed within 20 working days after notifying the departmental representative.

(2) AMENDMENT TO LICENSE. A written request for an amendment to the license shall be submitted to the department by the licensee before changes are made in the conditions of the current license such as maximum number of children, age range of children, hours, days of the week, months of the year in operation or change in the name of the center.

(3) TERMS OF LICENSE. (a) The number of children under 7 years of age in care of the center at any one time may not exceed the number for which the center is licensed.

(b) The age of children served may not be younger or older than the age range specified in the terms of the license.

(c) The hours, days and months of a center's operation may not exceed those specified in the license.

(4) ADDITIONAL LICENSE. A licensee seeking licensure for an additional center location shall demonstrate compliance with applicable parts of this chapter in the operation of the existing center.

(5) CONDITION OF LICENSURE. The department may refuse to grant a license or may revoke a license if the licensee, applicant or proposed or current employee or volunteer:

(a) Is the subject of a pending criminal charge if the charge substantially relates to the circumstances of caring for children or activities of the center;

(b) Has been convicted of a felony, misdemeanor or other offense the circumstances of which substantially related to the care of children or activities of the center;

(c) Has been determined to have abused or neglected a child pursuant to s. 48.981, Stats.; or

(d) Is the subject of a court finding that the person has abandoned his or her child, has inflicted 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.

(6) SUMMARY SUSPENSION OF A LICENSE. (a) Under the authority of s. 227.51 (3), Stats., the department may order the summary suspension of a license and, therefore, the closing of a day care center following a finding of imminent danger to the health, safety or welfare of the children in care. A finding of imminent danger may be based on, but not limited to, the following:

1. Failure to provide environmental protections such as heat, water, electricity or telephone service;

2. The licensee, employee or volunteer has been convicted of or has a pending charge for a crime against life or bodily injury;

3. The licensee, employee or volunteer has been convicted of a felony, misdemeanor or other offense or has a pending criminal charge which substantially relates to the circumstances of caring for children or activities of the center; or

4. The licensee, employee or volunteer is the subject of a current investigation for alleged child abuse or neglect pursuant to s. 48.981, Stats.

Note: Examples of actions the department will consider in making determinations under s. HFS 55.05 (5) and (6), are: abuse and neglect of children; sexual assault; abuse of residents of facilities; crimes against life and bodily security; kidnapping; abduction; arson of buildings or property other than buildings; robbery; receiving property from children; crimes against sexual morality, such as enticing a minor for immoral purposes or exposing minors to harmful materials and interfering with the custody of a child. The list is illustrative. It is not all−inclusive of the types of offenses that may be considered.

(b) An initial order to close may be a verbal order by a departmental representative but shall be approved at a regional administrative level before it becomes effective. The department shall within 72 hours of the approval either permit the reopening of the center or initiate proceedings in accordance with s. 227.51 (3), Stats., for the revocation of the license to operate. A preliminary hearing on the revocation shall be provided within 10 working days of the initial order to close.

(7) EFFECT OF NOTICE TO REVOKE OR DENY A LICENSE. The department shall provide a center with a written 30−day notice of intent to revoke or deny a license. Upon receipt of that notice and during any revocation or denial procedures which may result, a day care center may not accept for care any child not enrolled as of the date of receipt of the 30−day notice without the written approval of the department.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84; r. (1) and (2) (c) 7., renum. (2) (a) to (c) 6. and 8. and (d) to (h) and (3) to (8) to be (1) (a) to (c) 6. and 8. and (d) to (h) and (2) to (7) and am. (1) (a) (intro.), (b) (intro.), (c) (intro.) and 5. a., Register, August, 1989, No. 404, eff. 9−1−89.

HFS 55.06 Complaints. All complaints concerning a licensed or illegally operating day care center shall be submitted to the department by telephone, letter or personal interview. Complaints will be investigated by a licensing representative of the department. A written report of the findings of the investigation will be sent to the complainant upon request.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84.

HFS 55.07 Non−discrimination, confidentiality and reporting child abuse. (1) DISCRIMINATION PROHIBITED. The licensee shall ensure that the day care center does not discriminate on the basis of age, race, color, sex, sexual orientation, creed, handicap, national origin or ancestry against:

(a) Any employee or applicant for employment, in regard to hire, tenure or term, condition or privilege of employment as specified in the Fair Employment Act. ss. 111.31 to 111.395, Stats.; or

(b) Any enrolled child and family or any applicant for enrollment in regard to admission, privilege of enrollment or discharge condition except where it is a reasonable and necessary age requirement specified under this chapter.

(2) CONFIDENTIALITY OF RECORDS. The licensee is responsible for compliance by the day care center with s. 48.78, Stats., and this subsection.

(a) Persons having access to children's records may not discuss or disclose personal information regarding the children and facts learned about children and their relatives. This does not apply to:

1. The parent or a person authorized in writing by the parent to receive such information; or

2. Any agency assisting in planning for the child when informed written parental consent has been given.

(b) Day care centers shall make accessible to the parent, upon request, all records and reports maintained on their child.

(c) All records required by the department for licensing purposes are to be available to licensing representatives.

(3) REPORTING CHILD ABUSE. (a) A licensee who knows or has reasonable cause to suspect that a child has been abused or neglected as defined in s. 48.981 (1), Stats., shall immediately contact the county welfare agency, or local law enforcement agency in compliance with s. 48.981, Stats.

(b) The licensee shall ensure that every child care worker who comes in contact with the children at the day care center has received training in:

1. Child abuse and neglect laws;

2. Identification of children who have been abused or neglected; and

3. The process for reporting known or suspected cases of child abuse or neglect.

Note: Failure of the licensee to report known or suspected incidents of child abuse or neglect does not lessen the legal duty of the child care worker to report known or suspected cases of child abuse or neglect.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84.

HFS 55.08 Pets and livestock. (1) Dogs and cats that are kept on the premises of a day care center shall be vaccinated against diseases for which vaccines are available and which present a hazard to the health of children.

(2) Pets suspected of being ill or infested with external lice, fleas and ticks or internal worms shall be removed from the center.

(3) In the event that an animal bites a child, the parent shall be notified and a veterinarian shall be contacted by center personnel to determine a course of action in the diagnosis of possible rabies in the animal. Procedures for emergency care of children shall be followed. Parents shall be notified of any action taken by the veterinarian.

(4) Turtles, skunks and poisonous reptiles are prohibited from being kept on the premises of a day care center as pets in order to prevent salmonella, rabies and poisoning.

(5) Animal pens shall be kept clean.

(6) Pets shall be kept and handled in a manner which protects the well−being of both children and pets.

(7) No pets may be in the food preparation areas.

(8) No horses or other farm animals may be quartered closer than 500 feet from the building in which the day care center is located.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84.

HFS 55.09 Transportation. This subsection applies to all center−provided or center−contracted transportation of children, including both regularly scheduled transportation to and from the center and field trip transportation.

(1) GENERAL. (a) The center shall assume responsibility for a child between the time the child is picked up until the child is delivered to the parent or to a responsible person designated by the parent.

(b) Center−provided transportation includes transportation in:

1. Center−owned or leased vehicles;

2. Volunteer or staff−owned vehicles for which the volunteer or staff is reimbursed for the use of the vehicle; and

3. Volunteer or staff−owned vehicles without reimbursement to the owner for the use of the vehicle.

(c) Whenever the center contracts with a firm for the provision of transportation, the center shall ensure that the firm complies with all applicable requirements of this subsection.

(d) When children are transported in school buses as defined in s. 340.01 (56), Stats., the school buses shall comply with ch. Trans 300.

(e) When regularly scheduled transportation is provided by the center, the name of each driver, type of license held and the date of expiration of the license shall be on file at the center. When services are contracted, the name, address and telephone number of the contracting firm and the name of a representative of the firm who may be contacted after hours shall be on file at the center.

(f) The center shall maintain a written plan for regularly scheduled transportation of children between the children's homes and the center, which shall include:

1. A list of children transported and the method of taking daily attendance;

2. The schedule of the transportation route;

3. The name and address of the person authorized to receive the child if the child is dropped off at a place other than the child's residence; and

4. Procedures to be followed when the parent or designated authorized adult is not at home to receive the child.

(g) The center shall have written safety precautions to be followed when transporting handicapped children who have a limited ability to respond to an emergency.

(h) Emergency information as required under s. HFS 46.04 (6) (a) 1. d. and e. and 2. shall be carried in the vehicle.

(i) Smoking is prohibited in the vehicle while children are being transported.

(2) DRIVER. (a) The driver of a center−operated or center−contracted vehicle shall hold a valid Wisconsin operator's license for the type of vehicle being driven.

(b) The center shall have a copy of the staff member's driving record on file before that person may act as a driver. The driver shall:

1. Sign a waiver authorizing the administrator of the center to obtain a copy of his or her driving record; or

2. Provide the administrator with a copy of his or her driving record.

Note: Copies of driving records may be obtained from the Department of Transportation, Division of Motor Vehicles, Bureau of Driver Licensing, P.O. Box 7918, Madison WI 53707.

(c) The driver of a vehicle shall be at least 18 years of age but under 70 years of age and have at least one year of experience as a licensed driver.

(3) VEHICLE. (a) All center−provided or center−contracted transportation vehicles shall be registered by the state of Wisconsin.

(b) Center−owned vehicles shall be in safe operating condition, and at 6−month intervals the licensee shall provide the department with evidence of the vehicle's safe operating condition on forms provided by the department.

Note: Form DCS−52, Safety Inspection for Day Care Vehicles, may be obtained from Forms Center, Division of Children and Family Services, P.O. Box 7851, Madison WI 53701−7851.

(c) Center−owned vehicles shall be equipped with a first aid kit.

(d) All vehicles shall be clean, uncluttered, and free of obstructions on the floors, aisles and seats.

(e) All vehicles shall be enclosed. Children may not be transported in a truck except in the cab.

(f) When seat belts are available, children 4 years of age and older shall wear them.

Note: Section 347.48 (1), Stats., in effect requires that most automobiles belonging to Wisconsin residents be equipped with seat belts.

(g) When children under the age of 4 are being transported in a motor vehicle each child shall be properly restrained in a child safety restraint system or in a seat belt in accordance with s. 347.48, Stats.

(h) Doors shall be locked at all times when the vehicle is moving.

(i) A copy of any accident report shall be submitted to the department within 5 days after the occurrence of an accident involving a vehicle transporting children.

(4) VEHICLE CAPACITY AND SUPERVISION. (a) Children may not be left unattended in the vehicle.

(b) When children are transported in a vehicle there shall be at least one adult supervisor in addition to the driver whenever there are more than 3 children who are either under 2 years of age

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or who have a handicap which limits their ability to respond to an emergency.

(c) There shall be at least one adult supervisor in addition to the driver when there are more than 10 children under 5 years of age in the vehicle.

(d) There shall be at least one adult supervisor in addition to the driver when there are more than 17 children 5 years and older in the vehicle.

(e) After transporting a child to his or her destination, the driver shall wait until the child enters the building or is in the hands of a designated authorized adult.

(f) A seat shall be provided for each child. Allowable width in determining seating capacity is 13 inches for a child and 20 inches for an adult.

(g) The driver or adult supervisor shall be responsible for seeing that children remain seated while the vehicle is in motion.

(h) No more than 3 persons, including the driver, may occupy the front seat of a vehicle.

(i) The driver of a center−owned vehicle shall conduct vehicle evacuation drills initially and at 3−month intervals. The evacuations shall be supervised and verified in writing by a staff person.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84.

HFS 55.10 Pools. A center which has a pool, beach, or other swimming place on its premises shall comply with:

(1) The requirements of ch. Comm 90; and

(2) American Red Cross standards as specified in s. HFS 55.44 (7) and (8).

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84; correction made under s. 13.93 (2m) (b) 7. Stats., Register, June, 1995, No. 474; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, July, 1999, No. 523.

HFS 55.40 Scope. Sections HFS 55.40 to 55.44 apply to all licensed day camps for children.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84.

HFS 55.41 Operational requirements for day camps. (1) ADMINISTRATION. The licensee shall:

(a) Comply with all applicable statutes under which the requirements in this chapter are promulgated;

(b) Comply with all applicable requirements in this chapter;

(c) Designate, in writing, a Wisconsin resident who is responsible for ensuring compliance with the applicable requirements in this chapter, if the licensee resides in another state;

(d) Meet, upon request, with the licensing representative on matters pertaining to licensing;

(e) Provide documentation of insurance coverage by the submission of a certificate of insurance reflecting current dates of coverage for:

1. General liability insurance which provides coverage with limits of not less than $25,000 for each person and total limits of $75,000 for each occurrence;

2. Vehicle liability insurance, when transportation is provided, with minimums no less than those specified in s. 121.53, Stats.; and

3. Non−owned vehicle liability insurance when transportation is provided by other than camp−owned vehicles;

(f) Develop written policies on the following subjects, submit them to the department for review and implement them:

1. Termination of enrollment of children;

2. Fee payment and refund; and

3. Personnel policies, job descriptions, and terms of employment; and

(g) Develop written policies on the following subjects, submit them to the department for approval and implement them as approved:

1. Admission, health, nutrition and discipline;

2. Program objectives and a description of activities designed to carry out the program objectives;

3. Transportation, when provided;

4. Plans for evacuation and other emergencies;

5. In−service training and orientation of staff and volunteers; and

6. Supervised swim plan, if applicable.

(h) Make available to the parents, on request, a copy of the applicable parts of this chapter and a copy of the child care policies of the camp. Personnel, in−service training and orientation policies need not be included;

(i) Ensure that all published statements such as brochures and publicity are accurate; and

(j) Include a reference to the religious component in any publicity and program objectives if religious training is part of the camp program. This information shall be shared with parents.

(2) REPORTS. The licensee shall report to the department:

(a) An accident resulting in the death or serious injury of a child while at a camp, within 48 hours after the occurrence. In this paragraph, "serious injury" means an injury requiring inpatient hospitalization of the child;

(b) A catastrophe which damages the base camp, within 24 hours after the occurrence;

(c) A change in the board chairperson of the day camp, within 30 days of the change;

(d) A change of the day camp director, within 7 days of the change; and

(e) Statistical data required by the department on forms provided by the department.

(3) STAFF RECORDS. The licensee shall:

(a) Maintain a file on each employee which is available for examination by the licensing representative and which includes:

1. The employee's name, address, date of birth, education, position, previous experience in child care and a signed statement affirming that he or she has not been convicted or is not the subject of a pending criminal charge as specified under s. HFS 55.05 (5) or (6);

2. Documentation of any pertinent certification or training required for the position; and

(b) Maintain a listing at the base camp of the name, address, and telephone number of the person to be notified in the event of an emergency involving an employee.

(4) CHILDREN'S RECORDS. (a) The licensee shall maintain an up−to−date written record on each child enrolled at the camp and make the record available to the licensing representative. Each record shall include:

1. Pre−admission and enrollment information consisting of:

a. The name and birthdate of the child;

b. Full names of parents;

c. The child's home address and telephone number;

d. Address and telephone number where a parent can be reached while the child is in care;

e. Name, address, telephone number and relationship to the child of the person to be notified in an emergency, when a parent cannot be reached immediately;

f. Name, address and telephone number of the physician or medical facility caring for the child;

g. Names, addresses and telephone numbers of persons authorized to call for the child; and

h. Dates of camp session in which the child is enrolled; and

2. Consent from the parent for emergency medical care or treatment;

3. Authorization from the parent to transport the child to and from the camp, when transportation is provided;

4. Authorization from the parent for the child to participate in and be transported for field trips and other activities, if these are part of the camp program;

5. Specific written informed consent from the parent for each incident of participation by a child in any research or testing project. The day camp shall obtain and make available to the department and to the parent a statement indicating the sponsor, the subject matter, the specific purpose and the proposed use of results with respect to each project;

6. The child's health history and any other matters relating to the child's health; and

7. The daily attendance of the child for the length of time the child is enrolled in the program.

(b) The licensee shall maintain a daily medical log recording any injuries received by a child or medication dispensed to a child.

1. The log shall be in a bound book with pages that are lined and numbered. The pages may not be removed.

2. Entries shall be in ink and dated and signed or initialed by the person making the entry.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84.

HFS 55.42 Personnel. (1) STAFF: PAID AND VOLUNTEER. (a) Each day camp shall have a person designated as camp director on the premises at all times.

(b) The camp director shall be at least 21 years of age and shall meet one of the following criteria:

1. Have at least 2 years of supervisory or administrative experience in an organized camp or children's program; or

2. Have a bachelor's degree in outdoor education, recreation, social work, psychology, child development or education or in another camp−related field.

(c) Paid counselors who are counted in determining the counselor−to−child ratio shall have completed high school or the equivalent as determined by the department of public instruction.

(d) Paid or volunteer counselors who are considered in determining counselor−to−child ratio shall be at least 18 years of age.

(e) In the absence of a regular staff member, there shall be a similarly qualified substitute.

(2) STAFF TRAINING. (a) Each day camp shall develop a written pre−camp training program plan, a copy of which shall be submitted to the department. The plan shall include, but is not limited to, the following:

1. A review of the applicable parts of this chapter;

2. A review of camp policies and procedures;

3. Job responsibilities in relation to job descriptions;

4. Training in the recognition of illness of children;

5. Daily activity plans and schedules;

6. Emergency first aid;

7. The emergency plan required under s. HFS 55.43 (2);

8. Training in the use of fire extinguishers and other fire−fighting equipment;

9. Training in the recognition of local poisonous plants and snakes; and

10. Child abuse and neglect laws.

11. If the camp is licensed to care for children under 1 year of age, training in the most recent medically accepted practice to reduce the risk of sudden infant death syndrome.

(b) All paid and volunteer counselors who are counted in determining the counselor−to−child ratio shall have pre−camp training. The pre−camp training program shall be for a minimum of 3 camp days or 18 hours and shall include orientation at the base camp.

(c) Campers' parents serving as staff may be exempted from the 3 camp days or 18 hour pre−camp training when the following conditions are met:

1. The parent receives 4 hours of training in day camp programming required under par. (a), including orientation at the base camp; and

2. The parent works under the supervision of a staff person who has met the requirements specified in par. (b).

(d) The camp director shall plan and implement staff meetings which will provide ongoing supervision and in−service training for the staff.

(3) STAFFING. (a) Each child shall be closely supervised at all times.

(b) There shall be a ratio of at least one counselor to every 4 children under 4 years of age. There shall be a ratio of at least one counselor to every 6 children 4 years of age. There shall be a ratio of one counselor to every 12 children 5 and 6 years of age. When there is a mixed−age group, the staff−to−child ratio shall be adjusted on a prorata basis, according to age.

Note: Worksheets for prorating staff−to−child ratios for mixed age groups are available from the Forms Center, Division of Children and Family Services, P.O. Box 7851, Madison,WI 53707−7851.

(c) The counselor−to−child ratio shall be exclusive of maintenance staff, program specialists and counselors in training.

(d) The camp director may not leave the base camp during the hours of operation unless another qualified person is at the base camp. This person shall be identified in a written delegation of administrative authority and shall be authorized to make decisions.

(e) When 9 or more children are present at the base camp, there shall be at least 2 adults available at all times and at least one of the adults shall be a counselor.

(f) When children 7 years of age and older are served in the same unit with children under 7 years of age, the ratio of counselors to all children in the unit shall be consistent with the requirements for the under 7 year−old ratio.

(4) HEALTH QUALIFICATIONS. No staff member, volunteer, visitor or parent with symptoms of communicable disease or physical illness, or whose behavior gives the camp director reason to be concerned for the safety of the children, may be allowed on the premises of the day camp.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84; **CR 04−040: cr. (2) (a) 11. Register December 2004 No. 588, eff. 1−1−05.**

HFS 55.43 Base camp and facilities. (1) SITE AND BUILDING. (a) The base camp shall provide natural resources that allow for an outdoor living experience.

(b) On−site or off−site shelters shall be provided for use during inclement weather for ongoing camp activities.

(c) The base camp shall be located in an area that has good drainage.

Note: Local authorities should be consulted to obtain any required zoning clearances or building permits.

(d) Buildings and shelters on a site used or constructed primarily for day camp purposes shall comply with chs. Comm 61 to 65, the applicable Wisconsin Commercial Building Code and applicable local ordinances. A copy of the building inspection report shall be on file with the department.

(e) All buildings and structures used by children for day camp purposes shall have not less than 2 plainly marked exits.

(2) SAFETY. (a) *Protective measures.* 1. Each camp shall have a written plan for dealing with emergency situations, including but not limited to fire, natural disaster, lost campers, lost swimmers, accident and illness.

2. Staff shall be informed of and knowledgeable about the following:

a. His or her duties in the event of an emergency;

b. Evacuation routes; and

c. The location of the nearest telephone. A list of emergency telephone numbers shall be immediately available to staff.

3. All equipment and facilities used by the children and staff, whether owned by the camp or not, shall be in safe operating condition and not present undue risk to children.

4. No alcohol or non−prescribed controlled substances as defined in s. 961.01, Stats. may be consumed on the premises of the day camp during hours of operation.

5. All hazards, including abandoned refrigerators with doors, open grease traps, unsafe fences, and abandoned excavations, shall be eliminated or provided with protective devices.

6. Substances which may be toxic if ingested, inhaled, or handled, including drugs, chemicals and pesticides, shall be clearly labeled and stored in areas not accessible to children.

7. A motor vehicle shall be available at all times for emergency transportation.

8. Smoking is prohibited anywhere on the premises when children are present.

(b) *Fire protection.* 1. All fire protection facilities and equipment shall be inspected and maintained in working order by a qualified person.

2. Flammable and combustible liquids shall be in plainly marked containers and stored in areas accessible only to designated adults.

3. Before camp opens, written notification of the camp operation shall be given to the nearest fire department or forest ranger service for protection in case of fire.

4. Any permits required for operation of incinerators of for open fires shall be secured.

5. The clearing around open fires shall be free of burnable materials for a radius of 6 feet.

(3) SANITATION. (a) *General.* 1. The premises shall be free of litter, safe and clean.

2. Furnishings and other equipment shall be clean.

3. Toilet facilities shall be in sanitary condition.

4. Painted exterior and interior surfaces accessible to children shall be finished with lead−free paint or other non−toxic material.

5. Garbage containers in the building shall be covered, watertight and emptied daily. Garbage and refuse stored out−of−doors shall be kept in rigid leak−proof containers equipped with tight−fitting covers and hauled away as necessary to prevent decomposition and overflow at the site.

6. The areas around garbage and rubbish containers shall be clean and dry.

7. Solid waste disposal sites on the premises must be licensed by the department of natural resources.

(b) *Insect, rodent, and weed control.* 1. The growth of brush, weeds, grass and plants shall be controlled in the central camp area to prevent the harborage of noxious insects and rodents and other animals.

2. The central camp area shall be maintained to prevent growth of ragweed, poison ivy and other noxious plants considered detrimental to health.

3. Buildings and structures shall be maintained to control insect and rodent harborage and infestations.

(c) *Food preparation, service and storage.* 1. When food is provided and served by the day camp, s. HFS 46.06 (9) shall apply.

2. Equipment and utensils used for preparing, serving and storing food shall be clean and facilities equipped for the safe handling of food.

3. Washable dishes provided by the camp shall have smooth hard surfaces which are free of open seams, cracks, chips and roughened areas. The dishes shall be stored in such a manner as not to expose them to contamination.

4. Single−service utensils and food containers shall be made from non−toxic materials and shall not be reused.

5. Milk shall be maintained at or below 40ºF (8ºC).

(d) *Water.* 1. A supply of safe drinking water shall be available to children at all times from disposable cups, individually labeled cups or angle jet type drinking fountains. Common use of drinking cups is prohibited.

2. When a public water system is not available, a private well may be used if it is approved by the department of natural resources. Water samples from an approved well shall be tested at the state laboratory of hygiene or a state−approved laboratory at least annually and at least 2 weeks prior to the camp opening. The water supply shall be bacteriologically safe.

3. Where running water is not available, a covered drinking water container suitable for pouring or equipped with a faucet shall be provided. Dipping into water from the container is prohibited. The container shall be cleaned daily. The water source shall be a public water supply or as specified in subd. 2.

(e) *Washrooms and toilet facilities.* 1. Handwashing and toileting facilities shall be provided and accessible to children.

2. Single−use disposable towels or individually labeled clean cloth towels shall be provided and accessible to children.

3. Soap, toilet paper and wastepaper container shall be provided and accessible to children.

4. Outdoor toilets, when used, shall be constructed according to the requirements of ch. Comm 9 and s. Comm 62.2900.

Note: Ch. Comm 9 was repealed eff. 3−1−08.

5. If devices other than plumbed toilets or outdoor toilets are used, they shall be subject to local ordinances and required permits shall be obtained.

6. Plumbing shall comply with all applicable sections of ch. Comm 82.

7. Liquid waste disposal shall be connected to a public sewer, if available. If not available, liquid waste disposal shall be in accordance with ch. Comm 82.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84; corrections in (1) (d) and (3) (e) made under s. 13.93 (2m) (b) 7., Stats., Register, July, 1999, No. 523; corrections in (1) (d) and (3) (e) 4. made under s. 13.93 (2m) (b) 7., Stats.; **CR 04−040: am. (1) (d) and cr. (2) (a) 8. Register December 2004 No. 588, eff. 1−1−05.**

HFS 55.44 Program. (1) PROGRAM PLANNING AND IMPLEMENTATION. (a) Each day camp shall have a program of activities planned according to the developmental level of each group of children and intended to expose children to a variety of cultures. The program shall provide each child with experiences which encourage:

1. An appreciation and understanding of the natural environment;

2. Large and small muscle development;

3. Learning of skills;

4. Self−esteem and positive self−image;

5. Opportunities for recreation; and

6. Social interaction in a group setting.

(b) The program shall:

1. Protect the children from excessive fatigue and from overstimulation; and

2. Encourage spontaneous activities.

(2) DISCIPLINE. (a) Each day camp shall have a written policy on discipline of children which provides for positive guidance, redirection and the setting of clear−cut limits. The policy shall be designed to help each child develop self−control, self−esteem, and respect for the rights of others.

(b) Only staff specified under s. HFS 55.42 (2) (b) and (c) may discipline a child. Discipline may not be delegated to older children or peers.

(c) Punishment which is humiliating or frightening to a child is prohibited. Examples of prohibited punishment include:

1. Spanking, hitting, pinching, shaking or inflicting any other form of corporal punishment;

2. Verbal abuse, threats or derogatory remarks about the child or the child's family;

3. Binding or tying to restrict movement or enclosing in a confined space such as a closet, locked room, box or similar cubicle; and

4. Withholding or forcing meals, snacks or naps.

(d) Children shall not be punished for lapses in toilet training.

(3) EQUIPMENT. (a) The camp shall provide program equipment in a variety and quantity which will allow staff to implement activities outlined in the written policy on program objectives and activities required under s. HFS 55.41 (1) (g) 2.

(b) All equipment shall be:

1. Scaled to the developmental level, size and ability of the children;

2. Of sound construction with no sharp, rough, loose or pointed edges, in good operating condition, anchored when necessary; and

3. Placed to avoid danger of accident and collision and to permit freedom of action.

(4) REST. When a session is more than 4 hours in length, there shall be a rest period or period of quiet activities of approximately one hour for all children under 5 years of age.

(5) FOOD. (a) Food shall be provided accordance with Table 55.44 which is based on the amount of time children are present.

TABLE 55.44
MEAL AND SNACK REQUIREMENTS FOR EACH CHILD AT A DAY CAMP

Time Children Are Present	Number of Meals and Snacks
$2^1/_2$ to 4 hours	1 snack
4 to 8 hours	1 snacks and 1 meal
8 to 10 hours	2 snacks and 1 meal
10 hours or more	2 meals and 2 or 3 snacks

(b) Camp−provided transportation time shall be included in determining the total number of hours a child is present for the purpose of par. (a).

(c) Food allergies of specific children shall be reported to cooks, counselors and substitutes having direct contact with children.

(d) The meal and snack patterns listed in par. (e) shall be used in meal planning. Each meal shall provide 1/3 of the daily nutritional requirements of the child.

Note: USDA Child and Adult Care Food Program meal pattern requirements are designed to meet 1/3 of the daily nutritional requirements for children. A copy of the meal pattern requirements for children between 1 year and 12 years old is in Appendix B.

(e) Noon or evening meals shall consist of at least one item from each of the following categories:

1. Protein sources, such as meat, poultry, fish, eggs, cooked dried peas or beans, cheese or peanut butter;

2. Two vegetables, or 1 vegetable and 1 fruit, or 2 fruits;

3. Cereal, or whole grain or enriched bread; and

4. Grade A vitamin D milk.

(f) Mid−morning and mid−afternoon snacks shall consist of at least one of the following: milk or milk product, fruit, fruit juice, vegetable, peanut butter or other protein, whole grain or enriched bread or cereal. When only fruit juice is used, it shall be pure fruit juice.

(g) When a bag lunch or other food is provided by the parent, the camp shall ensure that each child has a meal that provides 1/3 of the daily nutritional requirements for a child of that age.

(h) Children's hands shall be washed with soap and water before eating.

(6) HEALTH. (a) *Observation.* 1. Each child upon arrival at the camp shall be observed by a staff person for symptoms of illness.

2. Any evidence of unusual bruises, contusions, lacerations or burns shall be noted on the child's record and reported immediately to the camp director.

(b) *Supervision.* There shall be an adult at the camp at all times who is responsible for health supervision. The adult shall be a registered nurse, physician or a person holding a current certificate from the American Red Cross standard first aid and personal safety course.

(c) *Isolation.* 1. There shall be an isolation or first aid area for the care of children who become ill.

2. When an apparently ill child is observed in the day camp, the following procedures shall apply:

a. A child with a sore throat, inflammation of the eyes, fever, lice, ringworm of the scalp, rash, vomiting, diarrhea, or other illness or health condition shall be isolated until the child can be removed from the camp; and

b. The child's parent, or a designated responsible person when parents cannot be reached, shall be contacted as soon as possible after the illness is discovered to take the child from the camp.

(d) *Communicable disease.* 1. When a child is suspected of having chicken pox, German measles, infectious hepatitis, measles, mumps, poliomyelitis, scarlet fever, whooping cough, diphtheria, meningitis, or any other communicable disease under ch. HFS 145, the local health officer shall be notified.

2. Whenever it is determined that a child has a communicable disease, the exposed children shall be watched for symptoms of the disease and their parents shall be notified of the children's exposure.

3. A child may be readmitted without a statement from a physician after having had a communicable disease only if the child has been absent for a period of time equal to the longest usual incubation period of the disease as specified by the department.

Note: A chart with information about reportable communicable diseases is available from the Child Care Information Center, 2109 S. Stoughton Rd., Madison WI 53716; phone 1−800−362−7353.

(e) *Medication.* 1. No prescription or non−prescription medication, including but not limited to aspirin, cough medicine, or nose drops, may be given to a child except under the following conditions:

a. A signed, dated, written authorization of the parent is on file;

b. Prescription medication is in the original container and labeled with the child's name, name of drug, dosage, directions for administering, date and physician's name;

c. Non−prescriptive medication is labeled with the child's name and the request, signed by the parent, includes the dosage and directions for administering; and

d. A written report which includes the type of medication given, dosage, time, date and name of the person administering the medication shall be kept in the child's record and in the medical log which shall meet specifications of s. HFS 55.41 (4) (b).

2. All medications shall be stored so that they are not accessible to the children.

3. Medications requiring refrigeration shall be kept in the refrigerator in a separate, covered container clearly labeled "medication."

(f) *Injury.* 1. Written procedures for the treatment of children who are in accidents or otherwise injured shall be available and made known to staff and shall be carried out as follows:

a. Written permission from the parent to call the family physician or refer the child for medical care in case of injury shall be on file at the camp. This permission shall be used only when the parent or the designated responsible person cannot be reached;

File inserted into Admin. Code 3−1−2008. May not be current beginning 1 month after insert date. For current adm. code see:
http://docs.legis.wisconsin.gov/code/admin_code

b. Prior to the opening of camp, a planned source of emergency medical care, such as a hospital emergency room, clinic or other constantly staffed medical facility, shall be designated and made known to staff and parents;

c. There shall be written procedures to be followed for bringing a child to emergency medical care;

d. First aid equipment shall be available at a designated location in each cottage or other living unit and at the first aid area;

e. First aid equipment shall be taken on all out−of−camp trips;

f. Standard first aid practices shall be followed for serious injuries;

g. There shall be routine procedures for treatment of minor injuries; and

h. Superficial wounds may be cleaned with soap and water only and protected.

2. A daily record of injuries shall be kept in the medical log.

3. Records of injuries shall be reviewed by the camp director and staff as part of the in−service training to determine that all preventive measures are being taken.

(g) *Health history.* A written health history which includes dates of immunization, allergies, limitations that would affect activities and other health conditions shall be obtained from the parent before the first day of camp. This shall be kept on file at the base camp and be available to staff.

Note: Form CFS−62, Child Enrollment and Health History, is available from the Forms Center, Division of Children and Family Services, P.O. Box 7851, Madison WI 53707−7851.

(7) WATERFRONT. (a) *Swimming area.* 1. Beaches, pools and other swimming areas used by campers shall be located, constructed, equipped and operated according to the requirements of ch. Comm 90.

2. The source and bacteriological, chemical, physical and biological quality of water at pools and beaches used by day camp children shall meet the requirements of ch. Comm 90.

3. Swimming pools shall be enclosed with a fence. All gates shall be locked when waterfront staff are not on duty.

4. The swimming area used by a day camp shall have designated areas for non−swimmers, intermediate swimmers, advanced swimmers and divers.

(b) *Waterfront staff.* 1. Each day camp offering swimming, boating, canoeing, or other aquatic activities shall designate a staff person as waterfront director. The waterfront director shall:

a. Be 18 years of age or older; and

b. Hold a Red Cross water safety instructor's certificate or a comparable Boy Scout or national YMCA certificate.

2. The camp shall maintain a ratio of one person with a current Red Cross lifesaving certificate per 25 children in the water, except where a public swimming place has life−saving personnel on duty. While children are in the water, staff−to−child ratios under s. HFS 55.42 (3) (b) shall be maintained by staff who can swim.

3. The waterfront director or an equally qualified person shall be on duty at all times whenever children are in the water.

(c) *Swimming procedures.* 1. The swimming ability of each child shall be determined and recorded through the use of an American Red Cross test.

2. Children shall be restricted to swimming areas within their swimming classification.

3. A written plan approved by the department for the supervision of swimmers shall be developed, implemented and made known to staff. The plan shall include:

a. A system of checking persons in and out of the water; and

b. Emergency procedures to be carried out when a swimmer cannot be found.

(d) *Boating prohibited in swimming areas.* Except in an emergency, no rowboat, canoe, motor boat or other craft, except a lifeboat used by lifeguards, is permitted in a swimming area, pursuant to s. 30.68 (7), Stats.

(e) *Supervision of waterfront activities.* Children shall be closely supervised when they are participating in fishing and shoreline activities.

(8) WATERCRAFT. (a) All water craft shall comply with ch. NR 5.

(b) Each occupant of a watercraft shall wear a type I or II coast guard−approved personal flotation device which is appropriate to the weight of the person wearing it.

(c) There shall be at least one adult in each watercraft who is a competent swimmer as determined by the waterfront director.

(d) Children who have not completed beginning swimming shall be limited to the use of the rowboats only.

(9) RIFLERY AND ARCHERY. Riflery and archery may not be part of the program for children under 7 years of age. When riflery and archery are included in the program for older children, the following precautions for the protection of children under 7 years of age shall be observed:

(a) The archery or rifle range may be used only under the supervision of an adult instructor;

(b) Other program activities shall be in an area away from the designated archery or rifle range. The range shall be fenced in with rope or wire and marked with danger signs or flags;

(c) Rifles, ammunition, and archery equipment shall be stored under lock and key when not in use; and

(d) Unfired cartridges and arrows collected in cleaning the range shall be returned to the instructor and not thrown into the trash or kept by the finder.

(10) TOOLS. (a) Power tools shall not be used by children under 7 years of age.

(b) Children under 7 years of age shall not be allowed in areas where power tools are in use.

(c) When power tools and other tools are not in use, they shall be stored in an area not accessible to children.

(11) HORSEBACK RIDING. (a) This subsection shall apply whether the camp owns, rents, or leases horses.

(b) Children may ride horseback only under close supervision in a ring or other enclosed area.

(c) The riding tack shall be maintained in good repair to provide maximum safety for children. It shall be appropriate to the age, size, and ability of the rider.

(d) Horseback riding shall be specifically covered by the camp's liability insurance.

(12) DAY TRIPS. For day trips away from the base camp:

(a) Staff shall carry signed parental permission for the emergency medical care of all children on the day trip;

(b) The counselor−child ratio under s. HFS 55.42 (3) (b) shall be maintained, except that the number of adults accompanying children away from the base camp may be no fewer than 2;

(c) A planned source of emergency medical care in the area to be visited shall be known to staff; and

(d) A list of children participating in the day trip shall be maintained by a counselor accompanying the children.

History: Cr. Register, October, 1984, No. 346, eff. 11−1−84; corrections in (7) (a) made under s. 13.93 (2m) (b) 7., Stats., Register, June, 1995, No. 474; corrections in (6) (d) made under s. 13.93 (2m) (b) 7., Stats., Register, July, 1997, No. 499; corrections in (7) (a) made under s. 13.93 (2m) (b) 7., Stats., Register, July, 1999, No. 523; **CR 04−040: am. (5) (d) Register December 2004 No. 588, eff. 1−1−05.**

Subchapter II — Day Care Programs Established by School Boards

HFS 55.50 Definition. In this subchapter, "establish and provide" means to fund the day care program and to control the daily operation of the program.

History: Cr. Register, August, 1985, No. 356, eff. 9−1−85.

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http://docs.legis.wisconsin.gov/code/admin_code

HFS 55.51 Compliance with licensing standards. **(1)** A day care program established and provided by a school board shall comply with applicable standards under subch. I or ch. HFS 45 or 46 governing the operation of day care centers.

(2) The department shall inspect the day care program established and provided by a school board and document in writing for the school board whether or not the day care program complies with the applicable standards for day care centers under this chapter.

History: Cr. Register, August, 1985, No. 356, eff. 9−1−85**;** am. (1), Register, January, 1997, No. 493, eff. 8−1−97; correction in (1) made under s. 13.93 (2m) (b) 7., Stats., Register, July, 1999, No. 523.