

Chapter PW-CY 40

CHILDREN AND YOUTH

PW-CY 40.10	Introduction	PW-CY 40.54	Child care and development
PW-CY 40.11	Organization and administration	PW-CY 40.55	Social services
PW-CY 40.12	Personnel	PW-CY 40.56	Records and reports
PW-CY 40.13	Physical plant and furnishings	PW-CY 40.60	Licensing foster homes
PW-CY 40.14	Program	PW-CY 40.61	Foster parents and their families
PW-CY 40.20	Revocation of licenses, or certifications	PW-CY 40.62	Foster homes
PW-CY 40.25	Rules for the approval of start-up grants for the expansion of child care in Wisconsin	PW-CY 40.63	Care of children
PW-CY 40.40	Introduction	PW-CY 40.64	Additional exceptions to the legal limit of 4 unrelated children
PW-CY 40.41	Organization and administration	PW-CY 40.65	Fair hearings
PW-CY 40.42	Personnel administration	PW-CY 40.70	Definitions
PW-CY 40.43	Social services	PW-CY 40.71	License
PW-CY 40.44	Records and reports	PW-CY 40.72	Personnel standards
PW-CY 40.50	Introduction	PW-CY 40.73	Program standards
PW-CY 40.51	Organization and administration	PW-CY 40.74	Site, facilities and equipment standards
PW-CY 40.52	Personnel administration	PW-CY 40.75	Administration standards
PW-CY 40.53	Building, grounds and equipment	PW-CY 40.76	Health standards
		PW-CY 40.77	Food standards
		PW-CY 40.78	Sanitation standards
		PW-CY 40.79	Safety standards
		PW-CY 40.80	Transportation standards

PW-CY 40.01 Definitions. History: 1-2-56; r. Register, August, 1970, No. 176, eff. 3-1-71.

PW-CY 40.02 Licensing. History: 1-2-56; r. Register, August, 1970, No. 176, eff. 3-1-71.

PW-CY 40.03 Personnel standards. History: 1-2-56; r. Register August, 1970, No. 176, eff. 3-1-71.

PW-CY 40.04 Educational program standards. History: 1-2-56; r. Register, August, 1970, No. 176, eff. 3-1-71.

PW-CY 40.05 Health standards. History: 1-2-56; r. Register, August, 1970, No. 176, eff. 3-1-71.

PW-CY 40.06 Administration standards. History: 1-2-56; r. Register, August, 1970, No. 176, eff. 3-1-71.

PW-CY 40.07 Equipment standards. History: 1-2-56; r. Register, August, 1970, No. 176, eff. 3-1-71.

PW-CY 40.08 Physical plant standards. History: 1-2-56; r. Register, August, 1970, No. 176, eff. 3-1-71.

PW-CY 40.09 Sanitation standards. History: 1-2-56; r. Register, August, 1970, No. 176, eff. 3-1-71.

LICENSING DAY CARE CENTERS FOR CHILDREN

PW-CY 40.10 Introduction. (1) **STATEMENT OF INTENT.** The intent of these rules is to protect and promote the health, safety and welfare of children in day care centers in Wisconsin.

(2) **EFFECT OF RULES.** The following rules for licensing have the full effect and force of laws as provided in chapter 227, Wis. Stats. These rules do not repeat the laws related to day care licensing. Persons using these rules should also be aware of and familiar with the statutory sections related to these rules so that they are knowledgeable about the requirements of the law as well as the rules.

(3) **TO WHOM THE RULES APPLY.** The rules apply to all day care centers for children.

(4) **EXCEPTIONS TO RULES.** The department may make exceptions to any of the rules for licensing day care centers when it is assured that granting such exceptions is not detrimental to the health, safety and welfare of children.

(5) **DEFINITIONS.** The following words and phrases have the designated meanings:

(a) *Department* unless qualified means the state of Wisconsin department of Health and Social Services.

(b) *Division* unless qualified means the division of family services of the department.

(c) *Rule* means a regulation, standard, statement of policy or general order (including the amendment or repeal of any of the foregoing) of general application and having the effect of law.

(d) *Day Care Center* means a licensed 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. A day care center may be licensed as:

1. A day nursery, which must meet all the rules for licensing day care centers, or as

2. A nursery school, which must meet the requirements for day nurseries and in addition, for each 25 children, must have at least one staff member certified as a nursery school teacher by the department of public instruction or a staff member who shows evidence of meeting the qualifications required for such certification.

(e) *Compensation* means payment for day care. This payment can be in the form of a cash fee or in the form of consideration for service performed.

History: 1-2-56; r. and recr. Register, October, 1961, No. 70, eff. 11-1-61; r. and recr. Register, August, 1970, No. 176, eff. 3-1-71.

PW-CY 40.11 Organization and administration. (1) **PURPOSE.** (a) Each day care center shall set forth a clearly defined statement of purpose which shall be filed with the department. If the center is incorporated, the constitution and by-laws may be filed with the department in place of the statement of purpose.

(2) **ADMINISTRATION.** (a) The board of directors or the owner shall be legally responsible for the operation of the center and for meeting the rules.

(c) Foster parents shall notify the legal custodian as soon as possible of emergencies involving the foster child. This includes serious illness or injury requiring medical treatment, unauthorized absence from the home, or other situations of which prudence suggests the legal custodian be notified. This requirement in no way relieves foster parents from first taking action such as obtaining emergency medical treatment for the child before notifying his legal custodian.

(d) Foster parents shall allow the legal custodian a minimum of 30 days in which to make suitable plans for the child when the foster parents have requested the child's removal from their home.

(e) Foster parents shall secure the approval of the child's legal custodian before making plans for the care of the child by other persons for any period in excess of 48 hours.

(f) No child in care shall be permitted to use or be known by the foster parents' surname unless the child's parents or guardian give their consent in writing, or the child's name is changed under section 296.36, Wis. Stats.

(g) Foster parents shall cooperate with the child's legal custodian in seeing that an appropriate relationship is maintained between the child and his relatives.

(h) Foster parents shall maintain in confidence all information detrimental to children in their care.

(11) RECORDS TO BE MAINTAINED BY FOSTER PARENTS. (a) Foster parents shall maintain during the time a child is in their care, a record on forms provided by the department. Such records shall contain the following information:

1. Child's name or alias by which he is known.
2. Child's birthdate.
3. Name of the person or agency to be notified in an emergency.
4. Date child received for care.
5. Person or agency placing the child.
6. Name of physician to be called in an emergency.
7. Medical information about the child while in their care such as medical examinations and immunizations, illnesses and accidents, including dates of each.
8. Name of dentist and dates child seen.
9. Name of school and grades attended.

b. At the request of the licensing agency or the department, foster parents shall make available for inspection such records of children received by them for care.

History: Cr. Register, April, 1957, No. 16, eff. 5-1-57; r. and recr. Register, June, 1970, No. 174, eff. 1-1-71.

PW-CY 40.64 Additional exceptions to the legal limit of 4 unrelated children. In no instance will the department make an exception for the placement of more than 8 unrelated children in one foster home.

NOTE: LIMITS FOR EXCEPTIONS. As provided in section 48.64 (3), Wis. Stats., the number of children who may be placed in a foster home is limited to 4 or less unless all children placed "are in the relationship to each other of brother or sister, or unless the department in accordance with its rules, adopted under s. 48.67 makes an exception."

(1) **ADDITIONAL REQUIREMENTS FOR FOSTER PARENTS.** Before an exception is granted for the first time, foster parents shall meet the following requirements in addition to those required for licensing for the care of 4 or less children:

(a) Foster parents shall either:

1. Have had 2 or more years of experience as foster parents, institutional houseparents, or other relevant child care experience, or,

2. Have successfully completed not less than 24 class hours of foster parent training, or,

3. Agree to take such foster parent training within a period not to exceed one year.

(b) At least one foster parent shall either:

1. Have successfully completed a course in first aid training acceptable to the licensing agency, or,

2. Agree to take such course in first aid within a period not to exceed one year.

(2) **ADDITIONAL SPACE REQUIREMENTS.** For an exception to be granted, the home shall initially meet, and shall continue to meet the following requirements:

(a) There shall be an average of 200 square feet or more of indoor living space* for each occupant of the household including foster children.

(b) The home shall have a room for indoor recreation.

(c) The home shall have a quiet area suitable for study.

(d) The home shall contain one complete bathroom* for each 8 persons occupying the household including foster children. If children of both sexes 6 years of age or older live in the household, there shall be 2 complete bathrooms.

(e) Dining facilities shall be such as to permit all members of the household to sit down to meals together.

(f) The home shall be inspected annually and certified in writing as being free from fire safety hazards by fire safety officials acceptable to the licensing agency.

(3) **OTHER ADDITIONAL REQUIREMENTS.** For an exception to be granted, the foster parents shall initially meet, and shall continue to meet the following requirements:

(a) Foster parents shall contract in writing for the exclusive placement of children in their home by or through one agency.

(b) The number of children foster parents may receive for care plus the number of their own children who live in the household shall not exceed a combined total of 10.

(c) At those times when the number of foster children and children of the foster parents younger than 16 years exceeds 8, there shall be another person in the home to assist the foster parent at those times when more than 8 children are present. An assistant is not required when 2 foster parents are at home. The person selected to serve as assistant to the foster parents shall meet the requirements

* **NOTE:** The term "living space" is intended to include all areas of the house except an unfinished basement, attic or similar areas not usually occupied by the family in their daily living.

for licensing related to personal qualifications, health, and shall be no younger than 18 years of age.

(d) The foster mother shall not be employed away from the home.

History: Cr. Register, April, 1957, No. 16, eff. 5-1-57; r. and recr. Register, June, 1970, No. 174, eff. 1-1-71.

PW-CY 40.65 Fair hearings. (1) **LEGAL BASIS.** This rule is adopted pursuant to section 48.64 (4) (a), Wis. Stats.

(2) **DEFINITIONS.** (a) A claimant means a person licensed to operate a foster home under section 48.62, Wis. Stats., affected by a decision or order issued by a division of the department of health and social services, a county welfare department or a child welfare agency.

(b) A hearing is defined as an orderly, readily available proceeding before an impartial employe of the state agency, in which a dissatisfied claimant or his representatives may present his case with the help of witnesses to show why action or inaction in his case should be corrected by the state agency; it is a continuation of the administrative process in which the claimant invokes the responsibility of the state agency through a quasi-judicial hearing in the particular case.

NOTE: Impartial employe of the state agency is currently defined as a hearing officer of the legal section of DFS.

(c) A request for a hearing is defined as any clear expression on the part of the claimant to the effect that he wishes to go beyond the usual procedure for adjusting complaints with a division of the department of health and social services, a county welfare department or a child welfare agency, and that he wants an opportunity to present his case to the department of health and social services. The specific wording of such a request is immaterial.

(d) The date of the request for hearing is defined as the date on which the request is received.

(3) **PURPOSES.** The major purposes of hearings are:

(a) To provide an opportunity for a dissatisfied claimant to appeal a decision or order issued by a division of the department of health and social services, county welfare agency, or a child welfare agency affecting the claimant or the children involved.

(b) To enable the county and claimants, jointly, to ascertain the factual basis on which, through proper application of the law and agency policy, a just decision may be reached.

(c) To contribute to uniformity in the application of the law and policy by assuring that every claimant is fully informed of his rights, that hearings on any grievance are readily available, and that instances of inequitable treatment are speedily remedied by prompt execution of hearing decisions.

(d) To safeguard claimants from mistaken, negligent, unreasonable or arbitrary action. The hearing process is not a substitute for proper and efficient administration and is not designed to produce any result that could not have been produced through regular administrative processes.

(e) To reveal aspects of a division of the department of health and social services, a county welfare department or a child welfare agency policy that constitute a misconstruction of law, state rules or policy.

(f) To provide a method whereby evidence may be obtained for referral to proper state policy-making authority, which evidence may show the need for modification of a state policy or policies.

(4) REQUIREMENTS. (a) Every claimant at the time of his application, and when other administrative decisions are made shall be informed in writing of his right to a fair hearing if his application is not acted upon with reasonable promptness, or if he is not satisfied with the action taken, and the method by which he may obtain a hearing.

(b) Every claimant may obtain a hearing before the department of health and social services in relation to a decision or order if he is dissatisfied with the action taken.

(c) The request for a hearing must be timely. No review will be provided in any case where the decision or inaction to be reviewed involves a question which arose more than 60 days prior to the request for a hearing.

(5) REQUEST FOR HEARING. (a) A complaint may be initiated orally in person, by letter or by form and if not adjusted by a division of the department of health and social services, a county welfare department or a child welfare agency to the satisfaction of the claimant a request for hearing will be completed and a hearing will be scheduled. Requests for hearing shall usually be on the simple form supplied by the state agency, but no written request shall be rejected for lack of formality.

(b) An oral request for a hearing made in person will be accepted, but shall be reduced to writing and signed by the claimant before the hearing will be scheduled. No request shall be dismissed without hearing unless the claimant shall remove from the jurisdiction, die, withdraw his request in writing, or abandon the proceedings. The proceedings may be considered abandoned if neither the claimant nor his representative appears at the time and place set for hearing, and if, within a reasonable time after the mailing of an inquiry as to whether he wishes any further action taken on his request for a hearing, no reply is received by the state agency.

(6) FAIR HEARING. (a) Hearings shall be held at a time convenient to the claimant and agency staff, easily accessible to the claimant and, whenever possible, on the premises of a division of the department of health and social services, a county welfare department or a child welfare agency, subject to the judgment of the hearing officer. Adequate preliminary notice shall be given to the claimant and his representative, if any, including information about the procedure at the hearing.

(b) The hearing shall be conducted by a hearing officer, duly appointed and qualified under the state civil service laws, who has not taken any part in the particular action under consideration.

(c) The claimant shall have the opportunity to examine all documents and records used at the hearing at a reasonable time

before as well as during the hearing; have the opportunity to present his case, or be represented; have the opportunity to bring witnesses, confront and examine witnesses adversely, to establish all pertinent facts and circumstances, to advance any arguments without undue interference, and to question or refute any testimony or evidence.

(d) Unless waived by both parties a continuance for a reasonable time shall be granted when an issue is raised for the first time in a hearing.

(e) The claimant may question interpretation of the law, and the reasonableness and equity of policies practiced under the law, if he is aggrieved by their application to his situation.

(f) The hearing is an informal administrative procedure subject to the requirements of due process.

(7) DECISIONS. (a) The transcript of testimony and the exhibits, papers and request filed in the proceeding constitute the exclusive record for decision and are available to the claimant at any reasonable time after the decision upon request, and at a place accessible to him.

(b) The decision on the hearing shall be in writing by the secretary of the department or his designee.

(c) The decision shall set forth the issue or issues, citation of law or precedents, the reasoning that led to the decision, the principal and relevant facts elicited at the hearing, and the action taken. These factors shall be grouped under appropriate headings such as preliminary recitals, finding of fact, conclusions of law and order. A certified copy of the decision shall be mailed to the claimant (and his attorney if any) and the division of the department of health and social services, a county welfare department or a child welfare agency charged with the administration of the services.

(8) ALLOCATION OF RESPONSIBILITY. The functions relating to fair hearings are allocated to the division of family services. All final decisions, except cases wherein the request for review has been abandoned, shall be based upon hearings conducted by the hearing officer duly appointed pursuant to state civil service laws and responsible to the division, provided that if emergency needs so require the division administrator or any other employe duly designated by him may serve as a hearing officer. Such decisions shall be binding upon the state, county agencies, and child welfare agencies involved.

History: Cr. Register, August, 1973, No. 212, eff. 9-1-73; am. Register, July, 1975, No. 235, eff. 8-1-75.

PW-CY 40.70 Definitions. (1) **DAY CAMPING** means an experience in group living in a natural environment. It is a creative, educational experience in cooperative group living in the out-of-doors; carried on during the day time under the supervision of trained leaders. It utilizes resources of the natural surroundings to contribute significantly to mental, physical, social and spiritual growth.

(2) **DEPARTMENT** means the Wisconsin state department of public welfare.

(3) **DIVISION** means the Wisconsin state division for children and youth.

History: Cr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.71 License. (1) **LICENSE REQUIREMENTS.** Day camps 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 the rules and standards.

(b) Each license shall bear the name of the camp, 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) **LICENSING EXEMPTIONS.** No license is required for a person or persons who provide:

(a) Camping experience for children at the child's own home and/or in homes of relatives or guardians.

(b) Camping experience conducted by public and parochial schools.

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

(4) **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 laboratory of hygiene or certified laboratory indicating that the water source has been tested and found to be safe.

(b) A statement of the purpose of the day camp.

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

(d) A general description of the camp area and its general geographical location.

(e) A completed application form.

(5) **RENEWAL OF LICENSE.** Application for a renewal of 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.

(6) **EVALUATION.** (a) A representative of the department shall visit and study each day camp before the initial licensing and each subsequent renewal. The representative shall submit to the department a written evaluation indicating whether the required standards

have been met. He may visit at any time to assure continued compliance.

(b) Each camp 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 camp.

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

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

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

(9) **APPEAL PROCEDURE.** (a) Any person aggrieved by the department's refusal or failure to issue or renew a license, or by its revocation of a license, has the right to an administrative hearing provided for contested cases in chapter 227, Wis. Stats.

(b) Judicial review of the department's decision may be had as provided in chapter 227, Wis. Stats.

(10) ALLEGED VIOLATIONS. (a) Whenever the department has reason to believe that any person is violating any of the provisions of sections 48.60, 48.62, or 48.65 Wis. Stats., it shall make an investigation to determine the facts and prosecute under section 48.76, Wis. Stats. if indicated.

(b) The department may either revoke the license and/or institute prosecution.

History: Cr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.72 Personnel standards. (1) ALL PERSONNEL. (a) *Required standards.* 1. The camp staff shall be adequate for the maintenance of the camp, for the care, protection, and education of the campers, and for business administration. There shall be a ratio of at least one counselor to every 8 children younger than 7 years of age. (This ratio is exclusive of administrative staff, junior counselors, or counselors-in-training. Administrative staff is defined as those staff members whose main responsibility involves other than direct program relationships with campers, i.e. directors, office staff, maintenance staff, cooks, dietitian, nurse.)

2. All members of the program staff shall possess the following minimum qualifications: Emotional maturity; good health and vitality; enjoyment of outdoor living; liking for children and the ability to understand the needs of campers; placing the needs of the campers and the camp ahead of personal desires; ability to work as a member of a group; interest in contributing to the achievement of the objectives in the camp; good moral character and integrity; particular skills and abilities for the specific responsibilities they are to carry; must be a high school graduate or a mature person qualified by camping experience.

(b) *Recommended standards.* 1. The camp should have carefully prepared written job descriptions for all types of positions, to be used in hiring and supervising staff.

2. The camp should utilize the best known techniques for the selection of staff members, such as application blanks, personal interviews and references.

3. The camp should have written personnel policies covering such matters as remuneration, time off, illness, job descriptions, relationships, evaluations, conditions for re-employment, personal conduct, etc.

4. All staff members who receive salaries or wages should receive a letter or written contract stating specifically the conditions of their employment.

5. There should be sufficient continuity in the total staff from year to year to give stability and cohesion to the program.

6. There should be procedures through which staff members may readily express themselves on matters of camp policies and regulations, including those that affect themselves.

7. Two years of college or the equivalent in experience significant for camping is desirable for the program staff member and especially for the camp director.

(2) CAMP DIRECTOR. (a) *Required standards.* The camp director shall have, in addition to the qualification under "2, All Personnel," the following:

1. Education and experience. At least 2 years staff leadership experience in organized camping as well as background in administration and working with groups.

2. Personal qualifications. The director must be at least 21 years of age, possess maturity of judgment, show initiative and resourcefulness, and demonstrate supervisory and administrative ability. In the absence of this person, there shall be a qualified substitute.

(3) STAFF TRAINING. (a) *Required standards.* 1. There shall be a pre-camp training program for a minimum of 3 days or 15 hours.

2. There shall be in-service training throughout the season, such as staff meetings, conferences, etc.

(b) *Recommended standard.* Two days or 10 hours of pre-camp training should be spent on the camp site.

History: Cr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.73 Program standards. (1) PROGRAM. (a) *Required standards.* 1. The program shall be appropriate for the ages, abilities, and interests of the children attending the camp.

2. There shall be planned rest periods during the camp day for all children, and such shall be appropriate to the age of the child. The rest period shall be one hour or longer for all children under 5 years of age, if camp is in session for more than 4 hours.

(b) *Recommended standards.* 1. The camp program should afford an opportunity for the campers to participate in a creative outdoor group experience in a democratic setting, and should provide for the development of each individual.

2. The camp should develop objectives in the following areas:

a. Outdoor living.

b. Fun and adventure.

c. Social adjustment—for example: The development of independence and reliability, ability to get along with others, and values in group living.

d. An understanding of individuals and groups of varied backgrounds.

e. Improvement of health.

f. Skills and appreciation, particularly as related to the out-of-doors.

g. Spiritual values.

3. The program should be so planned, administered and supervised as to lead to the achievement of the general objectives of camping and the special objectives of the particular camp. These objectives should be stated in writing. Essentially the program should be related to the central theme of living together in a natural environment and learning to enjoy the out-of-doors.

4. Within the general framework of the program, there should be opportunity for cooperative planning for activities by campers and camp staff and an opportunity for some choice of activities by individual campers.

5. The program should include occasional parent participation activities and other techniques to strengthen family relationships and parent understanding of the children's needs.

6. Camps designed to offer a general program in camping should include a variety of situations in which the camper will have an opportunity:

a. To acquire a feeling of competence and to enjoy himself in the natural outdoor setting through camp skills and other activities common to camp life.

b. To participate in group projects, special events and ceremonies, and social activities.

c. To share in the care of and improvement of the camp.

d. To increase his knowledge and appreciation of the world in which he lives.

e. To learn his relationship to his environment through such media as nature crafts, using native materials, etc.

f. To participate in minor preparation of meals whenever and wherever conditions permit.

g. For spiritual responses to camping experiences.

7. There should be continuity in this camp experience over a period of not less than 2 weeks. Camp should be operated at least 3 days per week, preferably 5, during the camp period.

History: Cr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.74 Site, facilities and equipment standards. (1) CAMP.

(a) *Required standards.* 1. The camp shall have on file, from the proper authorities, current written verification of the safety of water, sanitation, and buildings.

2. The site shall provide natural resources that will make possible an outdoor living experience.

3. Adequate provision shall be made for shelter of campers during inclement weather.

(b) *Recommended standards.* 1. The camp site should provide a maximum degree of privacy and wherever possible be isolated from densely populated and undesirable areas. It should be free from unnecessary hazards and be properly drained. It should be located within a reasonable distance from the campers' homes depending upon the transportation available.

2. There should be sufficient equipment and facilities, kept in safe operating condition, to carry out stated objectives and program.

History: Cr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.75 Administration standards. (1) RECORDS AND REPORTS.

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

2. The camp shall have the following records readily available: a. Budget, financial statement, and menus (if food is served).

b. All permits required by local and state authorities.

c. Written consent of parents for campers' attendance and participation in activities.

d. Statement of insurance coverage. Provision shall be made for all legally required insurance.

(b) *Recommended standard.* The camp license should be displayed or readily available at all times.

(2) **CHILDREN'S RECORDS.** (a) *Required standards.* Current information shall be maintained on each child attending the camp and

shall include: 1. Name, birth date, full names of both parents or guardian.

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

3. Name, address and telephone number of person to be notified in case of emergency, when parents cannot be reached.

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

5. Written consent of parent to contact family or camp 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 camp.

8. Record of daily attendance of each child.

(b) *Recommended standard.* Other records of the individual camper, as deemed desirable by the camp administration, may be maintained during the camp period or season.

(3) **PERSONNEL RECORDS.** (a) *Required standards.* 1. There shall be maintained a record for each employee, which shall include name and 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 employee by his supervisor is desirable.

2. There should be a written statement on file at the camp 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.* Camps shall submit the statistical report required by the department.

History: Cr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.76 Health standards. (1) **STATE AND LOCAL REGULATIONS.** (a) *Required standard.* Written health policy. Every day camp shall have a written plan indicating specific policies and procedures that will insure health protection for all. This written plan shall be consistent with state and local health regulations.

(2) **CHILDREN.** (a) *Required standard.* A recent medical statement shall be required from a family physician (or clinic) to show that the child is in good health and physically able to participate in the camp activities.

(b) *Recommended standards.* 1. Preventive inoculations recommended by public health authorities should be similarly recommended by the camp before opening.

2. There should be a written statement from the parent as to the camper's health since his camp physical examination and assurance that the camper has not since been exposed to contagious diseases.

3. There should be a quiet resting place.

(3) STAFF. (a) *Required standards.* 1. All paid and volunteer members upon beginning work, and annually thereafter, shall submit evidence of:

a. A physician's statement based on examination stating they are free from illness which might be detrimental to the child's welfare.

b. A chest X-ray or a negative PPD showing freedom from active tuberculosis.

2. Food service staff shall have certificates required to comply with local and state public health requirements.

(b) *Recommended standard.* All staff members should have fundamental knowledge of health and emergency procedures.

(4) INSPECTIONS AND FIRST AID. (a) *Required standards.* 1. There shall be a definite system of daily health supervision of the campers, including such times when campers are away from camp on out-of-camp activities. Health inspections shall be made by a person capable of recognizing common signs of communicable disease or other evidences of ill health.

2. A registered nurse, licensed physician, or a person holding a current American Red Cross Certificate in advanced first aid shall be available to this group. Arrangements shall be made with a nearby licensed physician to serve the camp if one is not in residence.

3. There shall be first aid equipment, as recommended by the American Red Cross, readily available and a designated first aid area, including a quiet resting place, in all units.

4. Transportation shall be immediately available at all times for use in case of emergency.

5. There shall be ready access to a telephone and a list of emergency telephone numbers posted.

History: Cr. Register, October, 1961, No. 70, eff. 11-1-61; am. (3) (a) 1, Register, December, 1972, No. 204, eff. 1-1-73.

PW-CY 40.77 Food standards. (1) NUTRITION. (a) *Required standards.* 1. In menu planning, proper nutrition standards shall be observed. Children shall have the type and amount of food suited to their growth needs and activity. If the camp day includes both a morning and afternoon program, a mid-morning and mid-afternoon snack shall be available to supplement the noon meal.

2. Milk used for drinking shall be pasteurized Grade A according to state regulations and provided by an accredited source. Perishable foods including milk and milk products, meat, fish, poultry, shell fish, eggs, gravies, poultry stuffing, salad and other mixtures containing any of the above foods shall be kept at a temperature of not over 50 degrees Fahrenheit.

3. All food storage, preparation and service space and equipment shall be maintained clean and free from dirt and insects.

(b) *Recommended standard.* The noon meal, whether provided by camp or parents, should include a serving of protein food, vegetables, whole grain or enriched bread, and a simple dessert. The camp should furnish parents with suggestions and check for adequacy and safety measures if children bring lunches from home.

History: Cr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.78 Sanitation standards. (1) STATE AND LOCAL REGULATIONS. (a) *Required standards.* 1. All camps shall comply with state, county, and local sanitation laws.

2. If the camp does not operate under a permit which includes approval of the water supply, a special written approval of the water supply shall be obtained each year. The water supply shall be of adequate volume and safe, sanitary quality, and should be tested regularly during the camp season.

3. Swimming pools and waterfront areas shall be located, constructed, equipped and operated in compliance with applicable laws.

4. Dishwashing procedures 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 used.

5. Liquid wastes shall be disposed of by facilities constructed and operated as required by and at locations approved by supervising health authorities.

6. Garbage and rubbish cans shall be watertight, fly-proof, emptied and cleaned at least every 2 days. Garbage and rubbish shall be hauled away from the camp for disposal. If disposal is within the camp (site), it shall be by burial under six inches of well tamped dirt. The surroundings of stored garbage and rubbish containers will be maintained clean and dry.

(b) *Recommended standard.* There should be a plan for control of insects, rodents, and poisonous weeds.

(2) **HYGIENE.** (a) *Required standard.* Adequate handwashing facilities shall be provided in proximity to toilets, privies, and urinals.

History: Cr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.79 Safety standards.

Note: Safety factors are fundamental considerations in the conduct of any camp and should be considered in all preceding topics. Natural hazards to safety, such as cliffs, swamps, mine shafts, dead trees, etc. should be structurally eliminated or reduced to a minimum before the camp is occupied. Every day camp should carry on a continuous program of safety education for its campers and staff.

(1) **WATERFRONT SAFETY.** (a) *Required standards.* 1. The person actively in charge of the waterfront shall be at least 21 years of age and shall have a current water safety instructor's certificate from the American Red Cross or an organization having equivalent standards. (If public facilities are used, the camp shall have written verification from proper authorities of the adequacy of personnel practices and equipment used.)

2. Practices and equipment for waterfront areas shall comply with applicable state laws and shall comply with Wis. Adm. Code, chapter H 75.05 (6). (a) A system of checking persons in and out of the water must be used.

(b) The buddy plan, which provides for the division of the group of persons into pairs so that every person has a partner while in the water, must be enforced.

(c) Life saving equipment that is adequate for the type of swimming, boating, and canoeing areas used must be provided, must be kept in perfect order at all times, and must be so placed as to be immediately available. One good life saving boat with proper equipment must be on hand at all times.

(d) A first aid kit must be on hand at the waterfront, and must be equipped and ready for immediate use.

(e) Swimming regulations must be posted on the waterfront, and must be obeyed by all, including guests.

Note: It is recommended that the following regulations be included: 1. Swim during swimming periods only.

2. Do not enter the water until the signal is given by the waterfront director.

3. Always swim with another person.

4. Stay in assigned swimming area.

5. Dive only in water of known and approved depth.

6. Remain out of the water when chilled or tired.

7. No guest shall be allowed in swimming until he has presented a health certificate.

Swimming pools shall be protected by a fence, and its entrance gate kept locked except during periods when the swimming director is on duty.

3. Practices and equipment for boating, canoeing, sailing and other watercraft shall comply with applicable laws. In the absence of such laws, the Standards of American Red Cross are acceptable.

(2) SAFETY PRECAUTIONS. (a) *Required standards.* 1. Rifery and archery are not to be included in the camp program. If included for older children added precaution for protection of children under 7 shall be provided.

2. Two or more counselors shall accompany groups leaving the immediate camp site.

3. Safety rules governing the use of tools and power tools shall be studied and observed, and such tools shall be used only under qualified supervision.

(3) FIRE PROTECTION. (a) *Required standards.* The director of the camp shall be responsible for the regular inspection of all fire protection facilities and equipment, such as: 1. Containers for gasoline, kerosene, explosives, and flammable materials shall be plainly marked and stored in a locked building not occupied by campers or staff and at a safe distance from the program buildings.

2. All camps shall provide adequate lengths of hose for fire fighting, if water under pressure is available.

3. Fire extinguishers and other suitable fire fighting equipment shall be placed at strategic and easily accessible points.

4. Fireplaces and chimneys shall be properly built and inspected annually, prior to the opening of camp.

5. Before camp opens, arrangements shall be made with the nearest public officials for protection in case of fire. Any permits required for operation of incinerators or for open fires shall be secured.

(b) *Recommended standard.* Emergency procedures for fire drills, civil defense drills or any natural disaster should be planned and practiced.

History: Cr. Register, October, 1961, No. 70, eff. 11-1-61.

PW-CY 40.80 Transportation standards. (Where transportation is used in connection with a day camp, the following standards shall be observed.) (1) **EQUIPMENT AND SAFETY.** (a) *Required standards.* 1. All transportation equipment is maintained in safe operating condition and meets all safety tests required by the laws of the state and the ordinances of the municipality in which the day camp operates.

2. Every day camp shall carry on a continuous program of transportation safety education for its staff and campers. (Day camp operators should realize that they carry a responsibility to their campers

over and above the technical requirements of the state laws or municipal ordinances.)

(2) DRIVERS. (a) *Required standards.* 1. Each driver of a camp vehicle shall meet the driving requirements of the state concerning the specific vehicle which he operates.

2. Each driver shall be selected for dependability, good habits, and unquestionable good character.

3. Each driver shall be free from communicable disease, strong enough to handle the transportation unit he drives, have normal use of his body, both hands, both feet, both eyes, and both ears.

4. Each driver shall be at least 21 years of age and have at least one-year's experience as a driver.

(b) *Recommended standard.* Every day camp should train its own drivers in all needed safety procedures.

(3) INSURANCE. (a) *Required standards.* A day camp operating its own transportation unit shall carry liability insurance as follows: 1. For a unit carrying not more than 18 campers: Minimum limits of \$50,000 for injury to any one person; \$100,000 in any one accident.

2. For a unit carrying more than 18 campers: Minimum limits of \$100,000 for injury to any one person; \$300,000 in any one accident.

(4) SAFETY. (a) *Required standards.* 1. The number of campers in transportation units shall not exceed the seating capacity of such units.

2. Each transportation unit shall carry adequate first aid equipment.

3. The camp shall provide supervision in transportation units. In a vehicle which carries more than 10 campers, there should be at least one adult in addition to the driver.

4. Where a day camp charters transportation units, the owners of such vehicles shall be required to produce evidence that they meet the transportation standards herein required of day camps.

History: Cr. Register, October, 1961, No. 70, eff. 11-1-61.