



## 2023 SENATE BILL 423

September 8, 2023 - Introduced by Senators BALLWEG, STROEBEL and FELZKOWSKI, cosponsored by Representatives GOEBEN, BINSFELD, BRANDTJEN, EDMING, GREEN, GUNDRUM, GUSTAFSON, HURD, KRUG, MAGNAFICI, MAXEY, O'CONNOR, PETERSEN, PETRYK, PLUMER, ROZAR, SCHMIDT, SORTWELL, STEFFEN, SUMMERFIELD, SWEARINGEN, TRANEL, VANDERMEER and WICHGERS. Referred to Committee on Mental Health, Substance Abuse Prevention, Children and Families.

1 **AN ACT relating to:** modifying administrative rules regarding the number of  
2 child care workers and children in group child care centers.

---

### *Analysis by the Legislative Reference Bureau*

This bill changes the administrative code to increase 1) the number of children in the ratio of minimum number of child care workers to children in a group child care center and 2) the maximum number of children per age who can be in a group child care center.

The bill also provides that a group child care center may adjust its ratio of child care workers to children to match the average ratio of teachers to pupils in the school district where the group child care center is located.

---

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

3 **SECTION 1.** DCF 251.055 (2) (b) of the administrative code is amended to read:

4 DCF 251.055 (2) (b) The Except as provided in par. (n), the ratio of child care  
5 workers to children may not be less than the minimum number of child care workers  
6 to children specified in Table 251.055.

7 **SECTION 2.** DCF 251.055 (2) (n) of the administrative code is created to read:

**SENATE BILL 423**

**SECTION 2**

1 DCF 251.055 (2) (n) 1. If the center is located in a school district where, in  
 2 4-year-old kindergarten, the average ratio of teachers to pupils is lower than the  
 3 number specified in Table DCF 251.055 for children ages 4 years to 5 years, the  
 4 center may lower its ratio of child care workers to children for children ages 4 years  
 5 to 5 years to match the average ratio in 4-year-old kindergarten in the school  
 6 district.

7 2. If the center is located in a school district where, in 5-year-old kindergarten  
 8 to 5th grade, the average ratio of teachers to pupils is lower than the number  
 9 specified in Table DCF 251.055 for children ages 5 years and older, the center may  
 10 lower its ratio of child care workers to children for children ages 5 years and older  
 11 to match the average ratio in 5-year-old kindergarten to 5th grade in the school  
 12 district.

13 **SECTION 3.** DCF 251.055 (table) of the administrative code is amended to read:

<b>TABLE DCF 251.055</b>		
<b>Maximum Group Size and Minimum Number of</b>		
<b>Child Care Workers in Group Child Care Centers</b>		
<b>Age of Children</b>	<b>Minimum Number of Child Care Workers to Children</b>	<b>Maximum Number of Children in a Group</b>
Birth to <del>2</del> Years <u>1</u> Year	1:4	8
<del>2</del> years <u>1</u> Year to 2 1/2 Years	1:6	12
2 1/2 Years to 3 Years	<del>1:8</del> <u>1:9</u>	<del>16</del> <u>18</u>
3 Years to 4 Years	<del>1:10</del> <u>1:12</u>	<del>20</del> <u>24</u>
4 Years to 5 Years	<del>1:13</del> <u>1:15</u>	<del>26</del> <u>30</u>
5 Years and Over	<del>1:18</del> <u>1:20</u>	<del>36</del> <u>40</u>

14 **SECTION 4. Effective date.**

15 (1) Notwithstanding s. 227.265, this act takes effect on the day after  
 16 publication.

17 (END)