



State of Wisconsin
2017 - 2018 LEGISLATURE

LRB-1355/P1
EHS:jld

DOA:.....Bong, BB0240 - Oversight of child care programs run by school districts

FOR 2017-2019 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

HEALTH AND HUMAN SERVICES

CHILDREN

This bill allows DCF to visit and inspect the premises and records of any child care program established or contracted for by a school board if the child care program receives funding from Wisconsin Shares. Wisconsin Shares is a part of the Wisconsin Works program under current law, which DCF administers and which provides work experience and benefits for low-income custodial parents who are at least 18 years old. An individual who is the parent of a child under the age of 13 or, if the child is disabled, under the age of 19, may receive a child care subsidy under Wisconsin Shares if the individual needs child care services to participate in various educational or work activities and satisfies other eligibility criteria.

Under current law, DCF is authorized to visit and inspect the premises and records of a licensed child care center. A school board may establish or contract for the provision of child care programs for children under current law. While such a child care program must meet the standards for licensed child care centers established by DCF, current law does not require it to be licensed as a child care center.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 48.66 (1) (a) of the statutes is amended to read:

48.66 (1) (a) Except as provided in s. 48.715 (6) and (7), the department shall license and supervise child welfare agencies, as required by s. 48.60, group homes, as required by s. 48.625, shelter care facilities, as required by s. 938.22, and child care centers, as required by s. 48.65. The department may license foster homes, as provided by s. 48.62, and may license and supervise county departments in accordance with the procedures specified in this section and in ss. 48.67 to 48.74. The department may supervise a child care program established or contracted for under s. 120.13 (14) that receives payment under s. 49.155 for the child care provided. In the discharge of this duty the department may inspect the records and visit the premises of all child welfare agencies, group homes, shelter care facilities, and child care centers and visit the premises of all foster homes in which children are placed. The department may also inspect the records and visit the premises of all child care programs established or contracted for under s. 120.13 (14) that receive payment under s. 49.155 for the child care provided.

SECTION 2. 48.73 of the statutes is amended to read:

48.73 Inspection of licensees and school district child care programs.

The department may visit and inspect each child welfare agency, foster home, group home, and child care center licensed by the department, and for that purpose shall be given unrestricted access to the premises described in the license. The department may visit and inspect each child care program established or contracted

for under s. 120.13 (14) that receives payment under s. 49.155 for the child care provided, and for that purpose shall be given unrestricted access to the premises used for the child care program.

SECTION 3. 120.13 (14) (a) of the statutes is amended to read:

120.13 (14) (a) Establish and provide or contract for the provision of child care programs for children. The school board may receive federal or state funds for this purpose. The school board may charge a fee for all or part of the cost of the service for participation in a child care program established under this subsection. Costs associated with a child care program under this subsection may not be included in shared costs under s. 121.07 (6). Child care programs established under this subsection shall meet the standards for licensed child care centers established by the department of children and families. Pursuant to ss. 48.66 (1) (a), 48.73, and 48.74, the department of children and families may visit and inspect the premises of, inspect the records of, and investigate and prosecute any alleged violations occurring at any child care program established or contracted for under this subsection that receives payment under s. 49.155 for the child care provided. If a school board proposes to contract for the provision of a child care program under this subsection or if on July 1, 1996, a school board is a party to a contract for the provision of a child care program under this subsection, the school board shall refer the proposed contractor to the department of children and families for the criminal history and child abuse record search required under s. 48.685. Each school board shall provide the department of health services with information about each person who is denied a contract for a reason specified in s. 48.685 (4m) (a) 1. to 5.

(END)