



State of Wisconsin  
2025 - 2026 LEGISLATURE

LRB-3778/1  
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## 2025 SENATE BILL 359

June 27, 2025 - Introduced by Senators JAMES, TOMCZYK and NASS, cosponsored by Representatives GOEBEN, B. JACOBSON, SPIROS, KREIBICH, BROOKS, O'CONNOR, GUSTAFSON, GUNDRUM, DUCHOW, DITTRICH, KNODL, PENTERMAN, NEDWESKI, MURPHY, HURD, NOVAK, GREEN, BEHNKE, TUCKER, KAUFERT and ALLEN. Referred to Committee on Mental Health, Substance Abuse Prevention, Children and Families.

- 1     **AN ACT to create** 48.65 (4) of the statutes; **relating to:** the minimum age of  
2             assistant child care teachers.

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### *Analysis by the Legislative Reference Bureau*

Under current law, the Department of Children and Families regulates child care providers and is required to promulgate rules to carry out that function. Under rules promulgated by DCF, a person hired by a licensed child care center to be an assistant child care teacher must be at least 18 or 17 years old, depending on the qualifications the person meets. An assistant child care teacher or school-age group leader who is at least 18 years old and has completed the training required for the position may provide sole supervision to a group of school-age children for up to 45 minutes if there is a qualified school-age program leader or child care teacher on the premises, and an assistant child care teacher may provide sole supervision to a group of children in full-day centers for up to two hours during opening and closing hours and during the center's designated naptime.

This bill provides in the statutes that a licensed child care center may hire an individual to be an assistant child care teacher if the individual is at least 16 years old and has completed early childhood education training. The bill maintains the current law requirements for assistant child care teachers providing sole supervision to a group of children and adds that an assistant child care teacher may

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only provide sole supervision to a group of children in a full-day center if there is a child care teacher on the premises.

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

1           **SECTION 1.** 48.65 (4) of the statutes is created to read:

2           48.65 (4) (a) *Definitions.* In this subsection:

3           1. “Assistant child care teacher” means a child care worker who works under  
4 the supervision of a child care teacher.

5           2. “Child care teacher” means a child care worker who plans, implements, and  
6 supervises the daily activities for a designated group of children at a child care  
7 center licensed under this section and who meets the qualifications under s. DCF  
8 251.05 (3) (f), Wis. Adm. Code.

9           3. “Full-day center” means a child care center licensed under this section that  
10 accepts children for 5 or more consecutive hours.

11           4. “School-age program” means a program in a child care center licensed  
12 under this section that serves only school-age children before and after school, on  
13 days on which there is no school, and during the summer break.

14           5. “School-age program leader” means a person who plans, implements, and  
15 supervises the daily activities for a designated group of school-age children,  
16 communicates with families, works with the community, and coordinates staff in a  
17 school-age program at a child care center licensed under this section.

18           (b) *Requirements for assistant child care teachers.* A child care center licensed  
19 under this section may hire an individual to be an assistant child care teacher if the  
20 individual meets all of the following requirements:

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- 1           1. The individual is at least 16 years old.
- 2           2. The individual has satisfactorily completed at least one of the following
- 3 within 6 months after assuming the position:
- 4           a. Two credits in early childhood education or its equivalent.
- 5           b. One non-credit, department-approved course in early childhood education.
- 6           c. An assistant child care teacher training program approved by the
- 7 department of public instruction.
- 8           (c) *Sole supervision by assistant child care teachers.* An assistant child care
- 9 teacher who has completed the training required under par. (b) 2. and is at least 18
- 10 years old may provide sole supervision to a group of children in the following
- 11 instances and for the following amounts of time:
- 12           1. In a full-day center, if there is a child care teacher on the premises, for
- 13 opening and closing hours, not to exceed the first 2 hours and the last 2 hours of
- 14 center operation, and during the center’s designated naptime, not to exceed 2 hours.
- 15           2. In a school-age program, if there is a school-age program leader or child
- 16 care teacher on the premises, for no more than 45 minutes.

**(END)**