

Date Correction Plan Due  
4/2/2026

**NONCOMPLIANCE STATEMENT AND CORRECTION PLAN**

TO FILE A COMPLAINT CALL  
715-930-1148

**Use of Form:** This form is used by certification / licensing staff to identify statute and / or administrative rule violation(s) and to outline imposed plans of correction, if applicable. This form is used by certified operators / licensed centers to meet the requirements of DCF 202.065, DCF 250.04(2)(i) and (3)(d), DCF 251.04(2)(L) and (3)(f), DCF 252.41(1)(L) and (2)(k). Failure to submit an appropriate correction plan by the due date listed above may result in sanctions identified in the statute and / or administrative rule. Public Schools may submit plans of correction however are not required to do so.

**Instructions:** The Noncompliance Statement below identifies the violation(s) of child care statute and / or administrative rule identified by the certification / licensing specialist. Identify expected completion date(s) for each item. Return the original to your certification / licensing specialist for approval and retain a copy. If this is a licensed child care, post your copy of the noncompliance statement and correction plan near the license in accordance with Wis. Stat. 48.657. This request for a correction plan is not an order imposing a sanction or penalty pursuant to Wis. Stat. 48.715. If the department decides to apply a statutory sanction and / or penalty for facts arising from this finding or a future finding, you will be given a notice of the sanction and / or penalty and your appeal rights.

**Name - Certified Operator / Licensed Center**  
Happy Hearts Day Care Inc

**Address - Facility (Street, City, State, Zip Code)**  
3605 E 2Nd St Superior WI 54880

**Telephone Number**  
715-398-6174

**Provider Number / Facility ID Number**  
6000557836 / 001 - 520474

**Date - Regulation Visit**  
3/4/2026

Rule/Statute Number Noncompliance Statement	Correction Plan	Expected Completion Date	Verification Date
1 251.04(2)(m) <b>Health, Safety &amp; Welfare Of Children</b>  Description: The health, safety, and welfare of children was adversely affected on the day of the complaint visit and in the weeks prior. The center knowingly allowed child care workers under the age of 18 years old to provide sole supervision to groups of children on various days between 2/17/2026 and 2/27/2026. In addition, child care workers without a background check nor any teacher qualifications were providing supervision to a group of 6 children on the day of the complaint visit.	all background checks are completed basic entry level training has been completed	3/30/26	
2 251.05(2)(a) <b>Staff Record - Maintenance &amp; Availability</b>  Description: Staff records for Staff D and Staff E were not available to the licensing specialist on the day of the complaint visit.	all files are completed	3/30/26	

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3 251.05(2)(a)2.  
**Staff Record - Completed Background Check**  
 Description: There was not a completed background check on file for Staff D or Staff E. Both staff were providing sole supervision and care to children on the day of the complaint visit.  
 It was also discovered during the complaint investigation that 8 total child care workers (Staff A, B, C, D, E, G, H, and J) did not receive background checks prior to beginning work. Staff schedules reflected that these employees acted as child care workers and were providing care and supervision to children in the years 2025 and 2026.

All current employees background checks are done

3/30/24

4 251.05(2)(a)4.d.  
**Staff Record - Educational Qualifications**  
 Description: Staff D and Staff E were working as qualified teachers on the day of the monitoring visit and there was no documentation available indicating that these persons met the educational qualifications of a teacher position.  
 Repeat violation: Previously cited on 7/24/2025

Have corrected all staff adjustments correct staff - Teacher & assistants are utilized

3/30/24

5 251.05(2)(a)6.  
**Staff Record - Days & Hours Worked**  
 Description: Upon review of documentation available at the center, there was no record of days and hours worked and in which classroom when child care workers were included in staff-to-child ratios.

Time cards are used to track hours - Schedules states what classes staff is assigned to

3/30/24

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6 251.05(3)(b)  
Abusive Head Trauma Prevention Training

Description: Documentation of completion of Abusive Head Trauma (AHT) training was not on file for Staff D and Staff E. AHT training is required to be completed before a child care worker begins to work with children under age 5.

Did trainings

3/15/26

7 251.05(3)(cm)  
Child Abuse & Neglect - Biennial Training

Description: Staff D and Staff E were missing documentation of having received training within the past two years on child abuse and neglect laws, identification, and reporting.

Repeat violation: Previously cited on 7/24/2025

Am looking into these trainings will have them completed by 4/10/26

4/10/26

8 251.05(3)(e)2.  
Center Director - Responsibilities

Description: Rule states, in pertinent part, that the center director shall be responsible for the supervision of the planning and implementation of the center's program for children and the supervision of staff at the center. Upon review of staff schedules and other relevant documentation reviewed during the course of the complaint investigation, an employee at the center who is not listed as the center director is fulfilling these duties.

was changed on paper work submitted

3/11/26

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9 251.05(3)(f)3.  
**Child Care Teacher - Entry-Level Training**  
 Description: Staff D and Staff E were used to meet staff-to-child ratios and were providing sole supervision and care to a group of 6 toddler-age children on the day of the complaint visit and had not completed the entry-level training requirements needed for their positions.

have completed

3/30/26

10 251.055(1)(a)  
**Supervision Of Children**  
 Description: On 3/4/2026, staff did not have sight and sound supervision of children when children in the Preschool Room left the classroom to use the hallway bathroom. It was observed by the licensing specialist that multiple preschool-aged children left the classroom, travelled across the hallway to use the bathroom, and were unsupervised for varying lengths of time.

The door is open when we leave the room to go to the kitchen to get a bottle or bit

3/30/26

It was also observed that a child care worker stepped out of the Infant Room, leaving one awake child and three sleeping children under one year of age not within sight and/or sound supervision for a period of approximately 2 minutes.

Not sure how to rectify this?

3/10/26

11 251.055(1)(b)  
**Supervision - Teacher Per Group Of Children**  
 Description: There was not at least one qualified teacher supervising a group of 6 toddlers on the day of the complaint visit.

closed classroom on that day - since has adjusted infant toddler area into correct amount of children to staff

3/4/26

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12 251.055(1)(i)  
Person In Sole Charge Of Children - Minimum Age

Description: It was discovered during the complaint investigation that child care workers under the age of 18 were providing sole supervision and care to children on multiple occasions between the dates of 2/17/2026 and 2/27/2026. Rule states that no person under 18 years of age shall be left in sole charge of a child.

At all times we are  
within site + sound  
Lead teachers are  
literally 4 feet from  
the "student teacher"  
Noted bonafide  
reference

3/30/26

13 251.06(3)(b)4.  
Emergencies - Record Of Fire / Tornado Drills

Description: The record of emergency drills was not available for review during the visit.

Took paper home by  
mistake with other  
documents it is  
posted where it  
should be

3/30/26

14 251.06(7)(a)  
Indoor Space - Square Footage Per Child

Description: There was not 35 square feet of usable square footage accessible to children when 3 toddler-aged children were placed in a small gated enclosure, with an approximate total square footage of 12.5 square feet.

Gate removed

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15	251.07(1)(d) Daily Routines  Description: Rule states that intervals between activities shall be planned to avoid keeping children assembled in large groups. It was observed that a group of toddler-aged children were placed in a small gated enclosure after mealtime, with no activities or toys available, for a period of over 5 minutes.	Crate was removed	3/30/26	
16	251.07(2)(e)3. Prohibited Actions - Physical Restraint, Restriction, Enclosure  Description: It was observed by the licensing specialist that 3 toddler-aged children were placed in a small gated enclosure after lunch. Physical restraint and placing children in confined spaces are prohibited by rule.	Crate was removed However, it was open ended so children could get out if they so chose	3/30/26	
17	251.07(3)(a)1. Indoor Equipment - Developmental Level, Size  Description: It was observed that children under age 3 were provided with adult size spoons during lunch, and were having difficulty eating their meals. The licensing specialist requested age-appropriate utensils be provided for the children, which center staff then provided to the group of children.	We have used the same small teaspoons for 30+ years. Never has been mentioned before. Could not find a specific rule on this spoon usage	3/30	

22

NAME: [Handwritten Name]  
 WEEK ENDING: 23 MAR 8:20 AM  
 MONDAY  
 23 MAR 5:13 AM  
 24 MAR 8:17 AM  
 25 MAR 8:40 AM  
 25 MAR 8:47 AM  
 25 MAR 8:12 AM  
 4:23 PM

22

3/30  
 mental  
 could not find  
 specific rule on  
 [Handwritten notes]

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18 251.07(5)(b)1. Mealtime - Staff With Children	Description: It was observed that staff were not sitting at the table with children during lunch.	We will try sitting with children as much as possible. Staff often have to get up + get more food or clean up a spill to facilitate lunch	3/30/26	
19 251.09(1)(m) Infant & Toddler - Audio Monitoring	Description: An audio monitoring device shall be used in any area or room where children under one year of age are placed to sleep. On the day of the complaint visit the infant sleeping room did not have an audio device.  Repeat violation: Previously cited on 7/23/2024	Monitor was on counter, I didn't see it. It was plugged in + also in sleeping area	3/30/26	
20 251.09(2)(a) Infant & Toddler - Responding To Crying Children	Description: It was observed that child care workers were not promptly responding to a crying child's needs on several occasions.	We do respond to crying infants - some need to get settled down - self sooth themselves. Will watch this	3/30/26	

NAME - Agency Worker  
 Amelia Gruber

*[Handwritten Signature]*

SIGNATURE - Certified Operator or Designee / Licensee or Designee

Date Issued  
 3/19/2026

*3/30/26*  
 Date Signed