



SENT VIA CERTIFIED MAIL AND REGULAR U.S. MAIL

Article No. 9589 0710 5270 1040 0524 21

April 25, 2024

John Wyatt
KinderCare Education LLC
C/O Jeanna Johnson
3950 Wood Road
Hubertus WI 53033-9403

Re: NOTICE OF DIRECT FORFEITURE ASSESSMENT AND APPEAL PROCESS

**KCE Champions at Pewaukee
436 Lake St
Pewaukee, WI 53072
Fac. No. 1010776**

Dear John Wyatt /KinderCare Education LLC:

This letter constitutes statutory notice of an imposed direct forfeiture assessment on you, John Wyatt/KinderCare Education LLC, in the operation of KCE Champions LLC at Pewaukee, a licensed group child care. This letter identifies the licensing statutory and/or code violations that were identified at of KCE Champions LLC at Pewaukee, additional sanctions and penalties that may result if these violations are not corrected and informs you of your appeal rights.

The Wisconsin Department of Children and Families (Department), under the authority of Wis. Stat. § 48.715, provides for sanctions and penalties where persons operate a group child care in violation of Wis. Stat. § 48 or Wis. Admin. Code § DCF 251. Sanctions and penalties include issuance of orders to stop operating, to correct violations and to submit plans of correction, assessment of forfeitures or revocation of a license. The Department may set forfeiture amounts of \$10.00-\$1,000 per day per violation.

Please note that in accordance with Wis. Stat. § 48.657(2g), and Wis. Admin. Code § DCF 251.04(2)(L), the child care shall post next to the child care license any notice received from the Department relating to rule violations. This notice must be posted in an area of the center that is visible to parents and must remain posted until the licensing specialist has verified the violations as corrected and in compliance at or before the next licensing site visit.

A Noncompliance Statement and Correction Plan is being issued and is enclosed with this letter. This is enclosed and incorporated herein by reference.

FORFEITURE ASSESSMENT

On April 17, 2024, Licensing Specialist Allison Nyren made a complaint visit to KCE Champions LLC at Pewaukee that was self-reported to the Department and found serious violations endangering the health, safety and welfare of children in care. The Department imposes a direct forfeiture assessment for the following violations:

1. **DCF 251.055(1)(a)** Supervision of children. States each child shall be supervised by a child care worker who is within the sight and sound of the children to guide the children's behavior and activities, prevent harm, and ensure safety. Contrary to DCF 251.055(1)(a), Child A (5-year-old) was left behind in a classroom alone and unattended while napping. All staff exited the room leaving the child unsupervised for 3 – 5 minutes. A teacher from another classroom found the child alone in the room.

Forfeiture assessed for this violation: \$50.00.

2. **DCF 251.055(1)(f)** child tracking procedure: States, the center shall implement and adhere to a procedure to ensure that the number, names and whereabouts of children in care are known to assigned child care workers at all times. Contrary to DCF 251.055(1)(f), On April 16, 2024, Child A (5-year-old) was left behind in a classroom alone and napping. All staff left that room unattended. A teacher from another classroom found the child alone in the room approximately 3 to 5 minutes later. The center failed to implement a correct tracking procedure to ensure the whereabouts of Child A.

Forfeiture assessed for this violation: \$50.00.

TOTAL FORFEITURE AMOUNT DUE FOR ALL VIOLATIONS: \$100.00.

FORFEITURE PAYMENT

The total forfeiture amount due for all violations identified above is \$100.00. You can pay the forfeiture by either accessing the E-Payment module in Child Care Provider Portal at <https://mywchildcareproviders.wisconsin.gov> or sending payment to the address listed below. Payment should be made payable to the State Treasurer. Send your payment within ten (10) days of the receipt of this notice to the Bureau of Early Care Regulation, 201 W. Washington Ave., PO Box 8916, Madison, WI 53708-8916. Include the attached remittance notice. Forfeiture payments are deposited in the School Fund.

ADDITIONAL PENALTIES FOR FAILURE TO COMPLY

Failure to correct the identified violations and any subsequent failure to maintain compliance with the Wisconsin Statute and Administrative Code may lead to the imposition of additional sanctions and penalties, as set forth in Wis. Stat. § 48.715. Additional sanctions and penalties may include orders to stop operating, to correct violations, to submit plans of correction, forfeiture assessments, or proceedings to revoke a license. The Department may set daily forfeiture amounts ranging from \$10 to \$1000 per day, per violation.

APPEAL RIGHTS AND PROCEDURE

Any person aggrieved by a Department action taken under Wis. Stat. §§ 48.715, 48.68(1) and/or 48.686, has the right to an administrative hearing under Wis. Stat. § 227.42. Pursuant to Wis. Stat. § 48.72, **your written request must be sent directly to the Division of Hearings and Appeals no later than ten (10) days from the date of this notice**; please attach a copy of this notice to your request for a hearing.

To submit your request for an administrative hearing under Wis. Stat. § 227.44:

Send your request via U.S. Mail:	Hand deliver your request:	Send your request via Facsimile:
Division of Hearings and Appeals P.O. Box 7875 Madison, WI 53707-7875	Division of Hearings and Appeals 4822 Madison Yards Way Madison, WI	Division of Hearings and Appeals (608) 264-9885

Contact Allison Nyren at 262-446-7832 if you have questions regarding this notice.

Sincerely,



Janette Cromell, Licensing Supervisor
Bureau of Early Care Regulation
DIVISION OF EARLY CARE AND EDUCATION

Attachments: Noncompliance Statement

cc: Joey Roeth, Attorney, DCF Office of Legal Counsel
Randall Gasser, Regional Licensing Manager
Bureau of Child Care Subsidy Administration
Milwaukee Early Care Administration
4C for Children
Department of Public Instruction
Wisconsin Early Care Association
Southeastern Regional Office Staff

(Complete, detach, and return this remittance slip with payment)

REMITTANCE SLIP

FACILITY ID NUMBER: 1010776

FACILITY NAME AND ADDRESS

REGIONAL OFFICE

KCE Champions LLC at Pewaukee
436 Lake St.
Pewaukee WI 53072

Southeastern

LICENSING SPECIALIST Allison Nyren

AMOUNT DUE \$100.00

Make check payable to State Treasurer. Please return this remittance slip with your payment within 10 days of receipt of this letter to:

**Bureau of Early Care Regulation
Attention: Central Office Manager
201 W. Washington Ave.
PO Box 8916
Madison, WI 53708-8916**

Date Correction Plan Due 5/9/2024	NONCOMPLIANCE STATEMENT AND CORRECTION PLAN	TO FILE A COMPLAINT CALL 262-446-7800
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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. Complete the section labeled "Correction Plan" by indicating the steps that will be taken to address and correct each of the listed noncompliance(s). 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 Kce Champions Llc At Pewaukee		Provider Number / Facility ID Number 0000580590 / 050 - 1010776		
Address - Facility (Street, City, State, Zip Code) 436 Lake St Pewaukee WI 53072		Telephone Number 262-226-7535	Date - Regulation Visit 4/17/2024	
	Rule/Statute Number Noncompliance Statement	Correction Plan	Expected Completion Date	Verification Date
1	251.055(1)(a) Supervision Of Children Description: Child A was left unattended while napping all staff had exited the room leaving the child alone for 3 - 5 minutes.	Staff will sweep the room for any children before leaving as well conduct a name to face attendance check using our company provided child supervision record.	4/18/2024	
2	251.055(1)(f) Child Tracking Procedure Description: Child A was left behind in a classroom for 3- 5 minutes while teachers and children moved to a different area of the school/	Staff will be retrained on the proper use of the child supervision record and name to faced transitions. The company child supervision record will be used for this.	4/19/2024	

NAME - Agency Worker
Allison Nyren

Date Issued
4/25/2024

SIGNATURE - Certified Operator or Designee / Licensee or Designee

Jeanna Johnson

Date Signed

5/01/2024