

Child Welfare Applicant / Licensee Rights and Responsibilities

Residential Care Centers for Children and Youth, Group Homes, Shelter Care Facilities, and Child Placing Agencies

The purpose of licensing is to establish minimum requirements and standards for Wisconsin's children's residential and child welfare programs to protect the health, safety, and welfare of all children receiving services. It is the responsibility of the Department of Children and Families to develop clear and relevant licensing rules and regulations and to apply and monitor them with consistency and uniformity.

The department recognizes the need to develop open and honest communication with applicants and licensees and to maintain a positive and productive working relationship. To that end, the following is a statement of the mutual rights and responsibilities of license applicants and licensees.

A license applicant or licensee has the right:

1. To not be discriminated against because of race, or cultural identification, sex, sexual orientation, marital status, age, color, creed, ancestry, national origin, disability, political affiliations or religious beliefs, arrest/conviction record, military service, use or nonuse of lawful products during nonworking hours, and declining to attend a meeting or participate in communications about a religious or political matter.
2. To be treated with respect, objectivity, courtesy, dignity and fairness by licensing representatives.
3. To have all written communications, announced and unannounced visits, periodic licensing complaint investigations and any other licensing activities conducted in accordance with applicable statutes, rules and policy.
4. To have an exit conference with a licensing representative at the conclusion of a licensing visit or complaint investigation and to receive the written findings as soon as possible thereafter.
5. To expect that the results of the licensing visit or investigation are based on reasonable, clear, consistent and fair interpretations of applicable licensing rules and applicable state law.
6. To submit a written plan of correction to the department's findings and to have that response made a part of the official licensing record.
7. To request and receive technical assistance from the department or agency the department contracts with to assist in meeting licensing requirements.
8. To bring to the attention of the department any alleged misapplication of regulations, procedures or any substantial differences of opinion with or inequitable treatment from the licensing representative.
9. To have a meeting with the licensing supervisor if resolution of differences with the licensing representative is not achievable.
10. To receive a written notice describing appeal rights regarding any adverse licensing action taken pursuant to Wis. Stat. s. 48.715.
11. To receive a written copy of the appeal rights at the time of license application and upon request.

A license applicant or licensee has the responsibility:

1. To engage in a cooperative partnership with the department to provide a safe and nurturing environment for children.
2. To submit in a complete and timely fashion materials necessary for initial licensure or continuation (e.g., application, fee, late fee, forfeiture, background check, etc.).
3. To understand and comply with the rules and requirements governing their license.
4. To allow unrestricted access to the entire premises, including all records maintained, to the licensing representative during hours of operation.
5. To report changes in the following to the licensing specialist immediately:
 - Address
 - Telephone number
 - Household composition
 - Administrator/program director
 - Corporate status
 - Board president/chair
6. To report any pending criminal charge, conviction, or child abuse or neglect investigation or findings for yourself, employees, and for anyone aged 10 and older living in your household, to the licensing representative.
7. To understand the enforcement role of licensing representatives regarding compliance with application and licensing procedures.
8. To understand and respect the licensing representative's authority to inspect, investigate, and review all aspects of licensure contained within the licensing rules, including, but not limited to:
 - Investigations
 - Reviewing facility records
 - Interviewing children and staff
 - Compliance with the caregiver background check law
 - Inspection of the physical premises
 - Conducting complaint

Should you have any questions regarding these rights and responsibility statements, you may contact the Child Welfare Licensing Section by email at dcfcwlr@wisconsin.gov.

The Department of Children and Families is an equal opportunity employer and service provider. If you have a disability and need to access services, receive information in an alternate format, or need information translated to another language, please call the Division of Safety and Permanence (608) 266-8787. Individuals who are deaf, hard of hearing, deaf-blind or speech disabled can use the free Wisconsin Relay Service (WRS) – 711 to contact the department.