

DCF 252.07 Non-discrimination, confidentiality, and reporting child abuse or neglect.**(1) DISCRIMINATION PROHIBITED.**

(a) The licensee shall ensure that the day camp does not discriminate in employment against properly qualified individuals in a manner prohibited in ss. 111.31 to 111.395, Stats.

(b) The licensee shall ensure that the day camp does not discriminate against any enrolled child and family or any applicant for enrollment in admission, privilege of enrollment, or discharge condition on the basis of age, race, color, sex, sexual orientation, creed, disability, national origin, or ancestry as provided in s. 106.52, Stats.

DISCRIMINATION: The DCF Equal Opportunity Office investigates all discrimination complaints that are submitted to DCF by its clients and customers that are based on practices prohibited by relevant state and federal civil rights laws. Contact the DCF Equal Opportunity Office at 608-422-6889 or the US Department of Health and Human Services, Office for Civil Rights 800-368-1019 (voice) or 800-537-7697 (TDD) or see the ADA website https://www.ada.gov/filing_complaint.htm to file a complaint.

(2) CONFIDENTIALITY OF RECORDS.

It is recommended that the camp have a policy regarding the use of photos and social or electronic media involving children enrolled at the day camp.

(a) The licensee is responsible for the day camp's compliance with s. 48.78, Stats., and this subsection.

(b) Persons who have access to children's records may not discuss or disclose personal or other information about a child or a child's relatives. This paragraph does not apply to any of the following:

1. The child's parent.
2. Any person, business, school, social services provider, medical provider, or other agency or organization if written parental consent has been given.
3. An agency authorized under s. 48.78, Stats., to have access to children's records.

A licensed day camp facility may share confidential information regarding an individual in care to a public school, social welfare or law enforcement agency, or the Department of Children and Families. A social welfare agency is a county department of social or human services, an Indian tribal social services agency or agent, or a licensed child welfare agency under contract with the county department. A law enforcement agency is a sheriff or police department.

"Relative" is defined by s. 28.02(15), stats., as a parent, stepparent, brother, sister, stepbrother, stepsister, half brother, half sister, brother-in-law, sister-in-law, first cousin, 2nd cousin, nephew, niece, uncle, aunt, step-uncle, step-aunt, or any person of a preceding generation as denoted by the prefix of grand, great, or great-great, whether by blood, marriage, or legal adoption, or the spouse of any person named in this subsection, even if the marriage is terminated by death or divorce.

(c) If a parent requests a record or report on the parent's child, the day camp shall make the record or report accessible to the parent.

Every parent has a right to their child's school, medical, and dental records, and any video recordings of their child. The only exception to this rule is if a court specifically orders that a parent does not have access to the records. To prohibit or restrict access, the camp must have a copy of the court order on file at the camp.

(d) All records required by the department for licensing purposes shall be made available to licensing representatives upon request.

(3) REPORTING CHILD ABUSE OR NEGLECT.

(a) A licensee, employee, or volunteer at a day camp who knows or has reasonable cause to suspect that a child has been abused or neglected as defined in s. 48.02 (1) or (12g), Stats., shall immediately contact the county department of social services under s. 46.22, Stats., the county department of human services under 46.23, Stats., or local law enforcement agency in compliance with s. 48.981, Stats.

Licensees, employees, and volunteers are mandated reporters under the law.

- *A mandated reporter who witnesses or who has reasonable knowledge to suspect that a child has been abused or neglected is required to immediately contact the proper authority (county department of social or health and human services or law enforcement).*
- *The witness or the person who has reasonable knowledge to suspect that a child has been abused or neglected should be the person to make the report.*
- *When in doubt, report the suspected abuse or neglect.*
- *Because child-to-child contact may be determined to be abuse, child-to-child sexual contact must be reported.*

When in doubt, report the suspected abuse or neglect. Section 48.981 (6), Wis. Stats., states that if a mandated reporter fails to report suspected child abuse or neglect, you may be fined up to \$1,000, imprisoned for up to 6 months, or both. In addition, a mandated reporter who fails to report suspected child abuse or neglect may receive a bar to owning and/or working in a licensed child care and future licensing applications may be denied.

A report to the licensing specialist does not meet this requirement.

(b) The licensee shall ensure that every employee or volunteer who comes in contact with the children at the day camp has received annual pre-camp training in all of the following:

The Department will no longer accept a review of the brochure "It Shouldn't Hurt to Be a Child" to meet this requirement.

The Department's online training, "Mandated Reporter Online Training," may be used to meet this requirement. "Strengthening Families" or "Darkness to Light" (also known as Stewards of Children) training may also be used to meet this requirement.

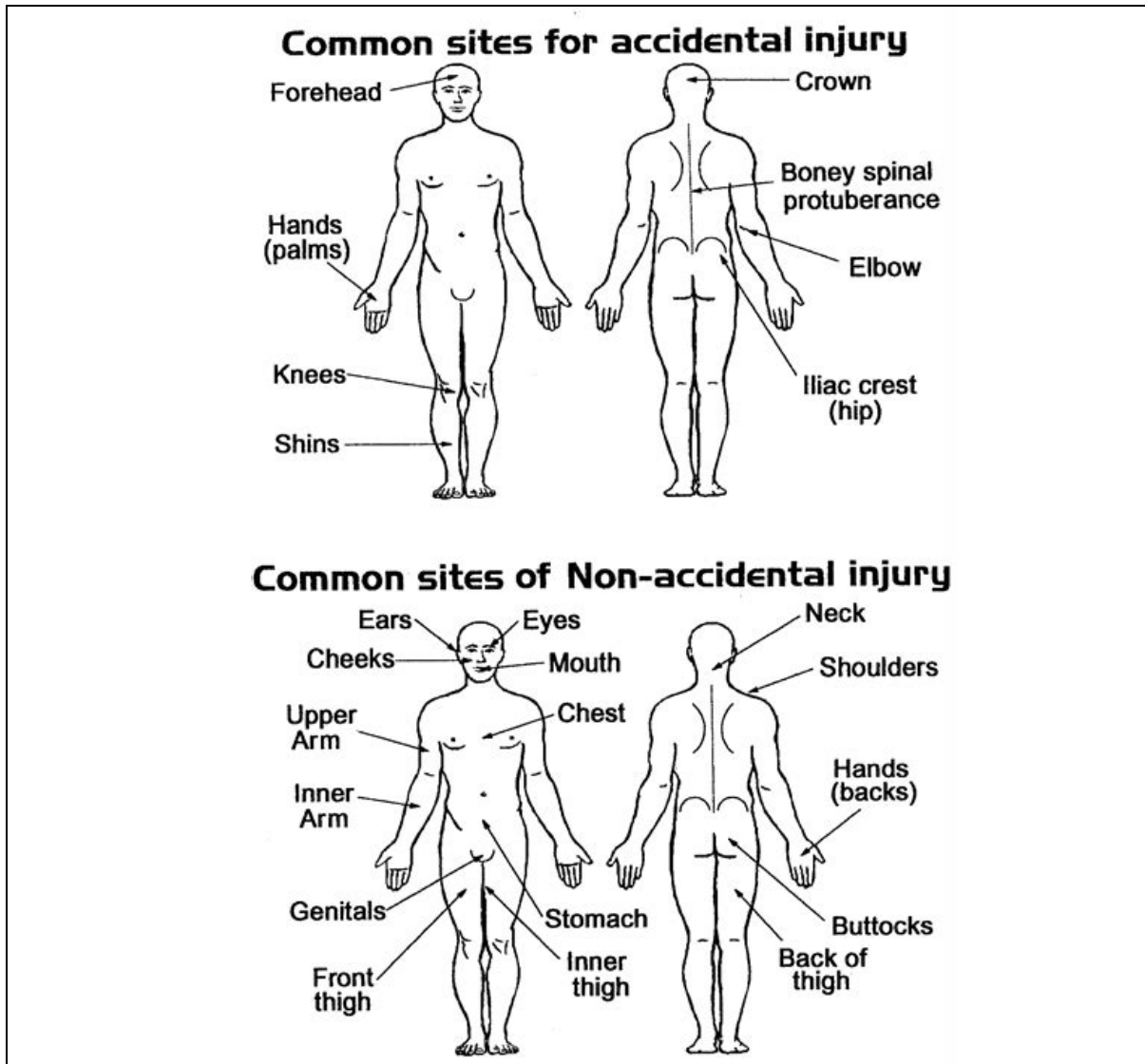
Training may also be obtained from local child protective services, law enforcement, or other agencies that provide continuing education experiences. Documentation could be a certificate of attendance at a formal training or completing the continuing education form. Training may be counted as continuing education.

The Department-approved, entry-level course called Introduction to the Child Care Profession contains training in the identification and reporting of child abuse and neglect and may be used to meet the requirement for 2 years after the completion date of the course. See DCF 252.42 (3) (a) 10. – PRE-CAMP TRAINING – CHILD ABUSE & NEGLECT LAWS, REPORTING. This rule requires that a review of child abuse and neglect laws and day camp reporting procedures be included in pre-camp training.

1. Child abuse and neglect laws;

252.07(3)(b)2.

2. Identification of children who have been abused or neglected; and



3. The process for ensuring that known or suspected cases of child abuse or neglect are immediately reported to the proper authorities.

Note: Failure of the licensee to report known or suspected incidents of child abuse or neglect does not lessen the legal duty of the child care worker to report known or suspected cases of child abuse or neglect.