



Third-Party Youth Activity Incident Reporting Requirements



This document outlines third-party youth activity incident reporting requirements and must be provided to all third parties offering youth activities at UW-Madison. All third-party staff who interact with youth participants as part of the third-party youth activity must be trained by the third-party on this information. These requirements are a component of UW-Madison's youth protection framework and assist the university with meeting internal, state, and federal reporting obligations.

Third-Party Youth Activity Incident Reporting Requirements



If there is an emergency or a child is in immediate danger,
call 911 immediately.



ALWAYS REPORT the following incidents to the authorizing unit contact identified in your Third-Party Youth Protection Addendum as soon as possible (typically within one business day).

CHILD ABUSE AND NEGLECT

- Physical abuse
- Sexual abuse
- Emotional abuse
- Emotional damage
- Threatened abuse
- Neglect
- Threatened neglect
- Abuse as manufacturing of methamphetamine

SEXUAL MISCONDUCT

- Sexual harassment
- Sexual assault
- Dating violence
- Domestic violence
- Stalking
- Sexual exploitation
- Related retaliation

OTHER CRIMES

- Arson
- Burglary
- Robbery
- Motor vehicle theft
- Hate crimes
- Aggravated assault
- Murder/non-negligent manslaughter
- Manslaughter by negligence

DEATH, INJURY, AND ILLNESS

- Illness where emergency medical response is needed
- Incidents resulting in injury where emergency medical response is needed
- Death from any cause

CHILD ABUSE AND NEGLECT

Additionally, you must always report suspected child abuse and/or neglect immediately to local law enforcement (UW Police Department can be reached at (608) 264-2677) or local Child Protective Services (call [\(608\) 261-5437](tel:6082615437) for Dane County CPS) – do not leave a voicemail or send an email.

In other situations, use your best judgment as to determine when to call the UW Police Department at (608) 264-2677 or 911. You should always contact law enforcement when someone's life, safety, or property may be in danger. UWPD is a full-service law enforcement agency.

When in doubt, call UWPD. They will check out the situation and, if necessary, take appropriate action. Do not assume that someone else has already called.



Third-Party Youth Activity Incident Reporting Requirements

CHILD ABUSE AND NEGLECT

Reports are required for all potential incidents of child abuse and neglect when the third-party staff member (paid or volunteer), in the course of their professional duties, observes, learns of, or has reasonable cause to believe that child abuse or neglect has or will occur. Staff must make reports when claims are made about incidents in the third-party youth activity, as well as claims about abuse at home, school, or other locations. Staff should not conduct their own investigation of concerns before reporting.

When the activity takes place on the main campus in Madison, reports are to be made immediately to the UW-Madison Police Department at (608) 264-2677. Call 911 in case of emergency. Reports can also be made to local child protective services. The Wisconsin Department of Children and Family services provides child protective services contact information for all counties and tribes in Wisconsin at <https://dcf.wisconsin.gov/reportabuse>.

You will likely be asked about the following information. Even if you do not know all of the information, report what you know.

- Child's name, address, phone number, if known
- Parent or caregiver name, if known
- What happened, or is happening to the child
- The nature of the abuse or neglect
- The persons involved

In addition to notifying law enforcement or Child Protective Services, third-party staff must also report concerns to the authorizing unit contact listed on the Third-Party Youth Protection Addendum. This is particularly important when the incident potentially involves an adult interacting with the youth participant in the Third-Party Youth Activity. If you are not sure about whether to report, ask your UW-Madison authorizing unit contact.

CHILD ABUSE AND NEGLECT DEFINED

Physical Abuse: Physical injury inflicted on a child by other than accidental means. Physical injury includes, but is not limited to, lacerations, fractured bones, burns, internal injuries, severe or frequent bruising or great bodily harm.

Signs of physical abuse

- bruises and welts
- injuries in the shape of an object (e.g., a belt or cord)
- unexplained burns on palms, soles of feet, back
- fractures that do not fit the story of how an injury occurred
- delay in seeking medical help
- extremes in behavior: very aggressive or withdrawn and shy
- afraid to go home
- frightened of parents
- fearful of other adults

CHILD ABUSE AND NEGLECT

Sexual Abuse: Sexual intercourse or sexual touching of a child; recording or displaying of a child engaged in sexually explicit conduct; forcing a child to view or listen to sexual activity; exposing genitals or pubic area to a child or exposing a child's genitals or pubic area for purposes of sexual gratification; or permitting, allowing, or encouraging a child to engage in prostitution.

Signs of sexual abuse

- pain, swelling or itching in genital area
- bruises, bleeding, discharge in genital area
- difficulty walking or sitting, frequent urination, pain
- stained or bloody underclothing
- venereal disease
- refusal to take part in gym or other exercises
- poor peer relationships
- unusual interest in sex for age
- drastic change in school achievement
- runaway or delinquent
- regressive or childlike behavior

Emotional Abuse: "Emotional damage" for which the child's parent, guardian, or legal custodian has neglected, refused or been unable, for reasons other than poverty, to obtain the necessary treatment or take steps to improve the symptoms.

Emotional Damage: Harm to a child's psychological or intellectual functioning which is exhibited by severe anxiety, depression, withdrawal, or aggression. Emotional damage may be demonstrated by substantial and observable changes in behavior, emotional response, or learning which are incompatible with the child's age or stage of development.

Signs of emotional damage

- low self-esteem
- self-denigration
- severe depression
- aggression
- withdrawal
- severe anxiety



CHILD ABUSE AND NEGLECT CONTINUED

Neglect: When a parent or caretaker fails, refuses, or is unable, for reasons other than poverty, to provide the necessary care, food, clothing, medical or dental care, or shelter, which seriously endangers the physical health of the child.

Signs of neglect

- poor hygiene, odor
- inappropriately dressed for weather
- needs medical or dental care
- left alone, unsupervised for long periods
- failure to thrive, malnutrition
- constant hunger, begs or steals food
- extreme willingness to please
- frequent absence from school
- arrives early and stays late at school or play areas or other people's homes

Threatened Abuse or Neglect: Threatened abuse or neglect refers to behaviors or conditions a child is exposed to that are dangerous to the child and likely to result in abuse or neglect.

Signs of threatened abuse or neglect

Identify behaviors or conditions that are dangerous or becoming dangerous to a child. Consider the possibility of threatened abuse or neglect when you observe or become aware of the following:

- Minor injuries that are cause for concern, including bruising on a non-mobile child; bruising or scrapes to vulnerable parts of a child's body; or an escalating pattern of corporal punishment that increases in severity or frequency
- Exposure to violence, even if a child has not yet been injured, when there is domestic violence or a violent person in the home
- Exposure to dangerous people or situations, including previous abusers or criminal activity
- An impaired caregiver, when there is no one else in the home to provide necessary care or protection



CHILD ABUSE AND NEGLECT CONTINUED

Abuse as manufacturing of methamphetamine: The criminal manufacture of methamphetamines is defined as child abuse when it is done under any of the following circumstances:

- A child is present
- It is manufactured in a child's home, on the premises of a child's home, or in a motor vehicle on the premises of a child's home
- It is manufactured under any other circumstances where a reasonable person should have known that the manufacture would be seen, smelled, or heard by a child

Signs of exposure to methamphetamine manufacture

Consider the possibility of meth manufacture in a child's environment when you see or become aware of the following in a child, particularly in combination with:

- painful or burning eyes or eye irritation
- skin irritation and redness or burns
- sneezing and chronic coughing, congestion, or fever
- chest pain, difficulty breathing, or shortness of breath
- vomiting, diarrhea, or nausea
- headaches
- rapid heart rate
- jaundice or dark-colored urine
- extreme irritability



SEXUAL MISCONDUCT

UW-Madison is committed to creating and maintaining a campus environment free from sexual misconduct. Any reported or observed sexual misconduct must be reported to your authorizing unit contact within 24 hours. Additionally, contact local authorities when appropriate for the situation. You do not need to be certain a situation occurred before you report concerns.

SEXUAL MISCONDUCT DEFINED

Sexual Harassment: Unwelcome sexual advances, unwelcome requests for sexual acts in exchange for something, and unwelcome physical behavior or words that are sexual.

Types of Sexual Harassment

Hostile Environment Sexual Harassment: Behavior that substantially interferes with one's program participation or creates an intimidating, hostile, or offensive program or education environment. It is illegal and unacceptable behavior.

Quid Pro Quo ("this for that") Sexual Harassment: Occurs when submitting to or rejecting this behavior influences program or academic opportunities and decisions.

Sexual Harassment Examples

- unwanted pressure for sexual favors
- unwanted deliberate touching, leaning over, cornering, pinching
- unwanted sexual looks or gestures
- unwanted letters, notes, emails, text messages, phone calls, or materials of a sexual nature
- unwanted pressure for dates
- unwanted sexual teasing, jokes, remarks, or questions
- calling someone names of a sexual or affectionate nature
- cat-calls
- sexual comments
- sharing sexual topics, jokes, stories, information in workplace conversations
- sexual innuendos or stories
- sharing or asking about sexual fantasies, preferences, experiences, histories
- sexual comments about a person's clothing, anatomy, appearance
- kissing sounds, howling, smacking lips, licking lips and other body parts
- telling stories, lies, rumors about a person's sex life
- touching or massaging the neck, shoulders, back, hair, body, clothing
- hugging, kissing, patting, stroking
- touching or rubbing oneself sexually around another person
- standing close in personal space of another, brushing up against a person, standing in the way of a person, or blocking so that the person cannot leave the area, room, location
- looking at a person up and down sexually
- staring at someone suggestively or sexually
- sexually suggestive signals
- sexual facial expressions, winking, blowing kisses
- making sexual gestures with hands or through body movements
- repeatedly asking a person out or on a date, lunch, break, etc. who is not interested

SEXUAL MISCONDUCT CONTINUED

Sexual Assault: Sexual contact without consent. Consent is words or clear actions that openly show a person, who is competent to give informed consent, freely agrees to the sexual contact. Minors aged 15 and younger are not able to give consent. Sexual assault is a violation of federal and Wisconsin state laws as well as UW-Madison policies that govern employee, student, and volunteer behavior.

Sexual Assault Scenario

You are a staff member working on a youth sports camp. You are waiting for Dominic and Alex, two camp participants, to return from a bathroom break. You first see Dominic exiting the bathroom in a hurry, and a minute later you see Alex exiting the bathroom. Alex appears upset and you ask him if he is OK. Alex tells you that Dominic touched Alex's private areas while they were washing their hands at the sink. Alex says, "I didn't want this to happen. I don't know what to do."

Dating or Domestic Violence: Also called intimate partner violence. An intimate partner is a current or past romantic partner, sexual partner, or spouse. Dating and domestic violence usually involve a pattern of power and control by one intimate partner over another. An abusive relationship can include emotional abuse, physical violence, threats, intimidation, isolation, and sexual assault. A single act of violence may be dating or domestic violence and also a violation of campus policy and state law.

Dating or Domestic Violence Scenario

You are a group leader for a one-day youth science program on campus. While walking from one building to another, you overhear Jamie and Elijah, two program participants, chatting. Jamie tells Elijah that she is excited to be on campus today, but she is worried that her boyfriend, who is in the same program, will see her making new friends. Jamie says, "He hates when I talk to new people. Last time I made a new friend, he squeezed my arm so hard it left a bruise. I want to break up with him but I'm scared of what he'll do."

Stalking: A course of conduct that causes a person to reasonably suffer serious emotional distress or fear for the safety of others.

Stalking may include monitoring or pursuing contact through:

- phone calls
- text messages
- social media
- email
- in person

Stalking Scenario

You are a program volunteer, and your program involves community events that youth participants will attend on a regular basis. During one event, Mateo, a high school participant, comes up to you and asks if he can go home early for the day. You ask if anything is wrong, and Mateo says that Ruby, a fellow classmate, has shown up to the event. Mateo explains that Ruby won't stop texting and calling him and she continues to follow him to every event, even though she isn't in the program. Mateo appears worried and says, "She has started to threaten me if I don't respond to her messages. I just don't know what she is going to do next."

SEXUAL MISCONDUCT CONTINUED

Sexual Exploitation: Occurs when an individual attempts, takes, or threatens to take nonconsensual sexual advantage of someone.

Examples include:

- taking or distributing nude photos of someone without their consent
- drugging someone for the purpose of making them vulnerable to non-consensual sexual contact
- forcing someone to pay money or engage in sexual activity in exchange for not distributing nude photos or private sexual information

Note: All of these examples are considered sexual exploitation under the UW-Madison Policy on Sexual Harassment and Sexual Violence **as well as** sexual abuse of a minor under Wisconsin state statute.

Sexual Exploitation Scenario

You are a staff member working in a commuter youth program. Two youth program participants, Gabby and Thomas, met in high school and have been dating for a few months. One afternoon during lunch, you notice Gabby appears worried and anxious, so you ask her if she is alright. She confides in you that Thomas took nude photos of her without her permission, and he has threatened to send the photos to other participants in the program if she ever breaks up with him. This program is very important to Gabby and she is scared she won't be able to come back if Thomas sends out the picture.

Related Retaliation: An adverse action taken against an individual in response to, motivated by, or in connection with someone's opposition of sex discrimination, sexual harassment or sexual violence. Opposition may include a formal complaint, participation in an investigation, or support of someone else's complaint. An adverse action is an action that a reasonable person would find adverse and therefore dissuade the person from making or supporting a report of discrimination.

Examples include:

- violating a no-contact directive
- awarding a lower grade on a project for reasons other than merit
- imposing unwarranted discipline within the youth activity

Related Retaliation Scenario

You are a staff member working in a residential youth program. One of the program participants, Kayla, recently reported to the program director that Sean, a well-liked staff member, said she was "hot" and looked "older than her age". In response to Kayla's complaint, Sean was no longer allowed to work for the program due to his behavior. However, while leaving the dining hall, you overhear several other program participants harassing Kayla and making her feel bad for "getting Sean fired". Kayla looks upset as she walks away from the group.

OTHER CRIMES

Certain crimes including manslaughter, assault, arson, burglary, robbery, theft, sexual assault, hate crimes, and drug offenses, disclosed by anyone, regardless of when it occurred, if the crime occurred on campus, on public property next to campus, on a property owned or controlled by UW-Madison not near campus, or on property owned or controlled by a registered student organization must be reported to your authorizing unit contact identified in your contract.

OTHER CRIMES DEFINED

Motor Vehicle Theft: Theft or attempted theft of a motor vehicle.

Scenario: While reviewing incidents from the night prior, you learn that three youth program participants took unattended golf carts for a joyride around campus.

Arson: Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

Scenario: The night before a youth activity's final day, a group of six youth participants use their room's trash bin to create a makeshift campfire to roast s'mores.

Robbery: Taking or attempting to take anything of value from the care, custody, or control of someone by force or threat of force or violence and/or by putting the victim in fear.

Scenario: While wrapping up activities at the end of a day camp, you observe a youth's parents verbally arguing at the entrance of your facility. One parent forcibly takes the second parent's phone from their hands while yelling various threats.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

Scenario: You and another staff member are overseeing a group of youth during an outdoor period. You observe two youth arguing verbally over who can use the sports equipment. One of the youth angrily grabs a stick and hits the other youth. The child suffers a cut above the eye that requires several bandages.

Burglary: The unlawful entry of a structure to commit a felony or a theft.

Scenario: While conducting an inventory at the end of your program, you and your program director review the equipment in a storage facility at your program site. You notice that the lock appears damaged and you determine the facility was broken into and a laptop and three notebooks were taken from within.

Murder and Non-negligent Manslaughter: The willful (non-negligent) killing of one human being by another. **In the event of a deceased person, immediately call 911.**



Third-Party Youth Activity Incident Reporting Requirements

OTHER CRIMES CONTINUED

Manslaughter by Negligence: Killing of another person through gross negligence. **In the event of a deceased person, immediately call 911.**

Hate Crimes: A criminal offense committed against a person or property which is motivated by the offender's bias based on their race, gender, gender identity, sexual orientation, religion, disability, ethnicity or national origin. Hate crimes can include the Clery crimes of simple assault, larceny/theft, intimidation/threats, and vandalism/destruction of property, and must be reported.

Scenario: Two concerned youth participants residing in a residential facility report their doors were vandalized the previous day with anti-Semitic language. The program is tailored to Jewish participants.

Illegal or Unauthorized Drug Use: Use of drugs, the possession or distribution of which is unlawful under the Controlled Substances Act [21 U.S.C. 801 et seq.]. This also includes the use of medication prescribed to another individual.



Third-Party Youth Activity Incident Reporting Requirements

DEATH, INJURY, AND ILLNESS

Reports must be made to the authorizing unit contact identified in your contract within 24 hours of learning about the incident. If you are not sure about the need to report, ask your authorizing unit contact. In the event of a death or suspected death, call 911 prior to making any internal reports.

TERMS DEFINED

Death: Report anytime a death occurs for any reason.

Injury: Report injuries that occur during third-party youth activities if they meet the following criteria:

1. Any accident/injury resulting in transportation of the participant by ambulance
2. Any time a medical treatment beyond basic First Aid provided is needed. Examples of this include but are not limited to: lacerations requiring stitches, broken bones/fractures, concussions, head injuries, fainting/unconsciousness, heat exhaustion
3. Anytime it is recommended that the youth participant receive follow-up provider care (whether or not follow-up care was received)
4. Any time a youth participant cannot fully participate in the youth activity due to the injury sustained during their participation

Illness: Report illness that requires emergency response or hospitalization.

NOTE: Third parties hosting residential third-party youth activities must report any incidents resulting in serious injury, illness, or death where an emergency medical response is required to their authorizing unit contact as soon as possible. UW-Madison must submit a detailed report to the state by the end of the next day.