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GENERAL PERSONNEL – Child Abuse and Neglect Reporting

Abused and Neglected Child Reporting Act

The Abused and Neglected Child Reporting Act requires District personnel, including both certified and non-certified school employees, having reasonable cause to believe a child known to them in their professional or official capacity may be an abused or neglected child shall immediately report or cause a report to be made to DCFS.

Any District employee who suspects or receives knowledge that a student may be an abused or neglected child or, for a student aged 18 through 22, an abused or neglected individual with a disability, shall: (1) immediately report or cause a report to be made to the Ill. Dept. of Children and Family Services (DCFS) on its Child Abuse Hotline 1-800-25-ABUSE (1-800-252-2873)(within Illinois); 1-217-524-2606 (outside of Illinois); or 1-800-358-5117 (TTY), and (2) follow directions given by DCFS concerning filing a written report within 48 hours with the nearest DCFS field office. Any District employee who believes a student is in immediate danger of harm, shall first call 911.

Whenever such person is required to report under this Act in the capacity as a member of the staff of the District, such person shall make such a report in accordance with the provisions of the Act and must also notify the Building Principal and/or immediate supervisor that such report has been made. The Building Principal or supervisor shall in turn notify the ~~Superintendent or designee designated central office administrator(s)~~ of such a report. The Superintendent, designee, or Building Principal shall immediately coordinate any necessary notifications to the student's parent(s)/guardian(s) with DCFS, the applicable school resource officer (SRO), and/or local law enforcement.

Any District employee who discovers child pornography on electronic and information technology equipment shall immediately report it to local law enforcement, the National Center for Missing and Exploited Children's CyberTipline 1-800-THE-LOST (1-800-843-5678) or online at www.report.cybertip.org or www.missingkids.org. The Building Principal shall also be promptly notified of the discovery and that a report has been made. The Building Principal or supervisor shall in turn notify the Superintendent or designee of such a report.

Any District employee who observes any act of hazing that does bodily harm to a student must report that act to the Building Principal, Superintendent, or designee who will investigate and take appropriate action. If the hazing results in death or great bodily harm, the employee must first make the report to law enforcement and then to the Superintendent or Building Principal. Hazing is defined as any intentional, knowing, or reckless act directed to or required of a student for the purpose of being initiated into, affiliating with, holding office in, or maintaining membership in any group, organization, club, or athletic team whose members are or include other students.

~~If during either an open or closed session of the Board, a Board member hears an allegation of suspected child abuse of an enrolled student, that Board Member shall direct the Superintendent, or designee, to report the suspected abuse to the DCFS Hotline. ¶~~

In addition to having responsibility for reporting suspected child abuse and/or neglect, District personnel shall, as required by law, cooperate with DCFS staff who are responsible for conducting child abuse/neglect investigations.

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Abused and Neglected Child Reporting Act (ANCRA), School Code, and Erin's Law Training

The Superintendent or designee shall provide staff development opportunities for District employees in the detection, reporting, and prevention of child abuse and neglect. All District employees shall:

1. Before beginning employment, sign the *Acknowledgement of Mandated Reporter Status* form provided by DCFS. The Superintendent or designee shall ensure that the signed forms are retained.
2. Complete mandated reporter training as required by law within three months of initial employment and at least every three years after that date.
3. Complete an annual evidence-informed training related to child sexual abuse, grooming behaviors, and boundary violations as required by law and policy 5:100, *Staff Development Program*.

Alleged Incidents of Sexual Abuse; Investigations

An *alleged incident of sexual abuse* is an incident of sexual abuse of a child, as defined in 720 ILCS 5/11-9.1A, that is alleged to have been perpetrated by school personnel, including a school vendor or volunteer, that occurred: on school grounds during a school activity; or outside of school grounds or not during a school activity.

If a District employee reports an alleged incident of sexual abuse to DCFS and DCFS accepts the report for investigation, DCFS will refer the matter to the local Children's Advocacy Center (CAC). The Superintendent or designee will implement procedures to coordinate with the CAC.

DCFS and/or the appropriate law enforcement agency will inform the District when its investigation is complete or has been suspended, as well as the outcome of its investigation. The existence of a DCFS and/or law enforcement investigation will not preclude the District from conducting its own parallel investigation into the alleged incident of sexual abuse in accordance with policy 7:20, *Harassment of Students Prohibited*.

DCFS Right to Interview Children

DCFS investigators should be allowed to interview children at school. Prior parent consent is not legally necessary for the DCFS child protective workers to interview the child and/or to conduct a physical examination. However, every attempt should be made to contact the child's parent(s) to inform them that a DCFS investigator is going to interview the child; and a certified staff member of the school, who knows the child, should be present during the interview or examination.

~~Written Confirmation Form¶~~

~~In addition to filing an oral or online report immediately with DCFS, the reporting staff member must also complete a written confirmation of suspected child abuse/neglect on the designated DCFS form within forty eight (48) hours. The form for mandated reporters (CANTS 5) is available on the DCFS website at <http://www.state.il.us/DCFS/docs/cants5.pdf>.¶~~

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Penalty for not Reporting

Negligent failure to report occurs when a District employee personally observes an instance of suspected child abuse or neglect and reasonably believes, in his or her professional or official capacity, that the instance constitutes an act of child abuse or neglect under the Abused and Neglected Child Reporting Act (ANCRA) and he or she, without willful intent, fails to immediately report or cause a report to be made of the suspected abuse or neglect to DCFS.

In the case of District personnel who fail to report suspected child abuse or neglect, disciplinary action shall be significant. Penalties could be up to and including termination. The Regional and State Superintendents have the authority to suspend a license(s) for up to one (1) year, and the State Superintendent has the authority to revoke a license(s).

~~How Do You Report~~

~~A reporter must make a report of suspected child abuse or neglect PERSONALLY AND IMMEDIATELY. It is not sufficient to simply inform the Principal. A reporter must personally and immediately call or submit an online report at the following:~~

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~~DCFS Hotline – 800-252-2873 (24 hour, toll free service)~~

~~DCFS Website – www.illinois.gov/dafs (non-emergency reports only)~~

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School Students Record Act

In any emergency involving a child's safety the DCFS staff may have access to the child's records without violating the School Students Record Act.

Immunity From Liability

District personnel making a good faith report of suspected child abuse or neglect are immune from any liability, civil or criminal, as a result of such a report.

~~Employee Statement of Knowledge of Act~~

~~Each employee beginning District employment on or after July 1, 1986, shall sign a statement on a form prescribed by DCFS to the effect that such employee has knowledge and understanding of the reporting requirements of the Abused and Neglected Child Reporting Act.~~

Special Superintendent Responsibilities

The Superintendent shall execute the requirements in Board policy 5:150, *Personnel Records*, whenever another school district requests a reference concerning an applicant who is or was a District employee and was the subject of a report made by a District employee to DCFS.

When the Superintendent has reasonable cause to believe that a license holder committed an intentional act of abuse or neglect with the result of making a child an abused child or a neglected child under ANCRA, and that act resulted in the license holder's dismissal or resignation from the District, he or she shall notify the State Superintendent and the Regional Superintendent in writing, providing the Ill. Educator Identification Number as well as a brief description of the misconduct alleged. The Superintendent must make the report within 30 days of the dismissal or resignation and mail a copy of the notification to the license holder.

Special School Board Member Responsibilities

Each individual Board member must, if an allegation is raised to the member during an open or closed Board meeting that a student is an abused child as defined in ANCRA, direct or cause the Board to direct

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the Superintendent or other equivalent school administrator to comply with ANCRA's requirements concerning the reporting of child abuse.

If the Board determines that any District employee, other than an employee licensed under 105 ILCS 5/21B, has willfully or negligently failed to report an instance of suspected child abuse or neglect as required by ANCRA, the Board may dismiss that employee immediately.

When the Board learns that a licensed teacher was convicted of any felony, it must promptly report it to the State agencies listed in policy 2:20, *Powers and Duties of the School Board; Indemnification*.