

Slide 1



Welcome. Thanks for taking your time to attend today's session.

Today we are here to discuss the Illinois Abused and Neglected Child Reporting Act (Public Act 97-0711) and our obligations as Mandated Reporters by virtue of our employment at the College.

Anyone that has experience as a MR, please assist us in presentation and/or with Q+A

Overview of Presentation

- Amended Act
- Definition of Child Abuse
- Definition of Neglect
- Warning Signs of abuse/neglect
- How to make a report and what to report
- Where to get more information

Illinois Abused and Neglected Child Reporting Act

- Illinois law related to the reporting of suspected child abuse or neglect.
- Outlines a variety of persons who are considered “mandatory reporters” under the Act.
- As of June 27, 2012, ALL employees of higher education institutions became mandatory reporters, and are required to sign a form acknowledging that they understand the reporting requirements.

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This Act was originally passed in 1975 and relates to reporting suspected child abuse or neglect to the IL Department of Children and Family Services (IDCFS) Hotline. Historically “mandated reporters” under the Act have been professionals (physicians and teachers) who may work with children in the course of their professional duties.

In late June 2012, Governor Quinn signed into law an amendment to the Act that expands the definition of mandated reporters to include “all personnel of institutions of higher education.” This includes student workers as well as volunteers.

It is also applicable to College students enrolled in an academic program leading to a position as a child care worker, school service personnel and degree in education. Melissa Johnson in Early Childhood Education has been treating her students as mandated reporters and requiring them to complete the DCFS online training as part of their program requirements. The main reason for including students enrolled in an education degree is that in many cases these students student teach in K-12 classrooms. DCFS has stated that student teachers are mandated reporters of child abuse and neglect when acting in their professional or official capacity. While Highland does not have student teachers we do have education students who observe in the schools. Anyone who is in a school in any official capacity is a mandated reporter. This extends to pre-service field training, and observing fits that category.

This State Law also requires each employee to sign a statement prescribed by DCFS to the effect that they have knowledge and understanding of the reporting requirements of this Act.

Illinois Abused and Neglected Child Reporting Act

- As a mandatory reporter, you are required to report cases of suspected child abuse or neglect to the Illinois Department of Children and Family Services (DCFS) toll-free 24-hour Child Abuse Hotline, at 1-800-25-ABUSE (22873).
- If a report is taken, DCFS will then investigate the matter.

So when does a Mandated Reporter make a report?

Whenever there is “reasonable cause to believe that a child known to them in their professional or official capacity may be an abused or neglected child” as employees of the College, they have the legal obligation to immediately report or cause a report to be made to the IDCFS by calling the Child Abuse Hotline at 1-800-25ABUSE.

DCFS is the state agency that is given the responsibility under AN CRA to investigate child maltreatment and to arrange for needed services for children and families where credible evidence exists. In IL, approximately 65% of all calls to report abuse or neglect to the DCFS’s Hotline are from mandated reporters. If a report is taken, DCFS investigates. Not all reports are “accepted” as reports to be investigated. There are also some reports that are found to lack credible evidence of abuse or neglect when investigated and are labeled “Unfounded.” DCFS is limited on what they can accept. Many times concern about a child’s well-being or a fear of being accused of failing to report may lead mandated reporters to “err on the side of caution” by reporting incidents that may not meet the definition of abuse or neglect. There are also many “gray areas” leading to confusion for the reporters.

Melissa Johnson comment re: if you are not sure – gray area, call hotline without releasing particulars – explain the situation – DCFS hotline staffers very helpful.

Abused Child Definition

“Abused Child” is defined as one whose parent or immediate family member, or any other person responsible for the child’s welfare, or any individual residing in the same home as the child, or a paramour of the child’s parent:

- Inflicts, causes to be inflicted, or allows to be inflicted upon such child physical injury, by other than accidental means which causes death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;

Child abuse is the mistreatment of a child under the age of 18 by a parent, caretaker, someone living in their home or someone who works with or around children. The mistreatment must cause injury or put the child at risk of physical injury. Child abuse can be physical (such as burns or broken bones) or sexual (such as fondling or incest).

(Abused Child Definition Continued)

- Creates a substantial risk of physical injury to such child by other than accidental means which would be likely to cause death, disfigurement, impairment of physical or emotional health, or loss or impairment of any bodily function;
- Commits or allows to be committed any sex offense against a child as defined in the Criminal Code of 1961 and extending those definitions to include children under 18 years of age;
- Commits or allows to be committed an act or acts of torture upon a child;

(Abused Child Definition Continued)

- Inflicts excessive corporal punishment;
- Commits or allows to be committed the offense of female genital mutilation (as defined in the Criminal Code), against the child; or
- Causes to be sold, transferred, distributed, or given to a child under 18 years of age, a controlled substance, as defined by the Illinois Controlled Substance Act, except those substances that are appropriately prescribe.

Includes exposure of the child to the manufacture of methamphetamines.

Neglected Child Definition

- Neglect means the failure of a parent or other person responsible for child's welfare to provide for the basic needs of a child to the point that it seriously endangers a child's physical health
- Neglect can be related to inadequate food, clothing, shelter, medical care or supervision

Neglect may exist when a responsible adult provides inadequate supervision of a child, as when children are left either unsupervised or in the care of someone unable to supervise due to his or her condition.

It is not considered neglect if poverty is the only reason a child has inadequate care (Most parents are able to provide the minimum requirements for their children.)

Making a Report

An employee, volunteer or student who is a mandated reporter and who has reasonable cause to believe that abuse or neglect has occurred with respect to a child known to the employee or student in his or her professional capacity shall:

Immediately report to the DCFS that he or she believes that a child may be abused or neglected. This initial report may be made by telephone to the DCFS toll-free child abuse hotline number: 1-800-25A-BUSE (1-800-252-2873)

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If the Hotline intake worker does not accept your call as a report, you will be informed of that fact and given the reason. Most often the explanation will relate to DCFS' legal jurisdiction or to the evaluation of risk of harm to the child.

Reasonable cause to believe abuse or neglect has occurred may exist when there is some actual or circumstantial evidence that the child has been abused or neglected. Actual evidence may consist of obvious pain, or signs of physical injury such as cuts, burns or bruises. Circumstantial evidence may include a child's change of behavior, or implausible stories about injuries or activities.



Possible Warning Signs of Abuse

- [Link to Recognizing Child Abuse and Neglect: Signs and Symptoms](#)

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Bob and/or Erin will go into more detail

Using the Warning Signs of Physical Abuse

You can use these warning signs & the questions below to help determine if a report needs to be made

- Does the child's explanation for the injury make sense to you?
- Is the child evasive about sharing how the injury occurred?

Also, remember the presence of a single sign does not prove child abuse is occurring in a family, but a closer look at the situation may be warranted when the signs appear repeatedly or in combination.

What should be reported?

- The child's name, address and age.
- The nature of the suspected abuse or neglect, including when and where it occurred.
- The names of suspected perpetrators and their relationship to the child (parent, teacher, etc.).
- Any other information you think may help.

Hotline staff are social workers with special training in determining what constitutes child abuse and neglect under Illinois law. Gather **ONLY** the information you need to make the report of abuse/neglect to the Hotline. Remember, it is **NOT** your role to interview the child about the abuse. Only ask the child for information that you **NEED** to know, such as a brief description of the incident.

What happens after the call?

- If a report is taken by the Hotline worker, an investigation is usually commenced within 24 hours. A written confirmation of the verbal report must be supplied, using DCFS' CANTS 5 form.
- The completed CANTS 5 Form should be sent within 48 hours of the initial report to the nearest local DCFS office by U.S. mail with postage prepaid. The location of the nearest DCFS office is available on the DCFS website at <http://www.state.il.us/dcfs>.

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When you call, a hotline social worker will listen to what you wish to report. The worker will then ask questions to help gather enough information to determine whether to take a formal report. If the Hotline worker does not accept your report for investigation, you will be informed of that fact and given the reason. Typically the explanation will relate to DCFS's legal jurisdiction or to the evaluation of risk of harm to the child. If you disagree with the Hotline worker's conclusions, you may ask to speak with a Hotline supervisor. Explain the details of the case, the reasons you were given for the report being refused, and why you think the worker's assessment was inaccurate.

If the Hotline worker does not accept the report of a Mandated Reporter, the information is still entered into the computer database system and maintained on file for six months. The Hotline worker will often refer you to the police (for investigation of a crime outside DCFS mandates) or to other agencies that can provide helpful services to the family or the child.

The CANTS 5 form completion is only required if the Hotline worker accepts your call as a report. The CANTS 5 form is available at <http://www.highland.edu/cougarnet/hr/AbusedandNeglectedChildReportingAct.asp> or <http://www.state.il.us/DCFS/docs/cants5.pdf>

Internal Reporting

If a report is taken, the employee or volunteer is encouraged to promptly inform his or her supervisor and/or a member of the Behavioral Intervention Team (AA/EOE officer, associate vice president of student services, behavioral intervention officer, crisis counselor, deputy, or director of adult education) that an abuse or neglect report has been made and, provide the associate vice president of human resources with a copy of the written confirmation of the report as submitted on the CANTS 5 Form.

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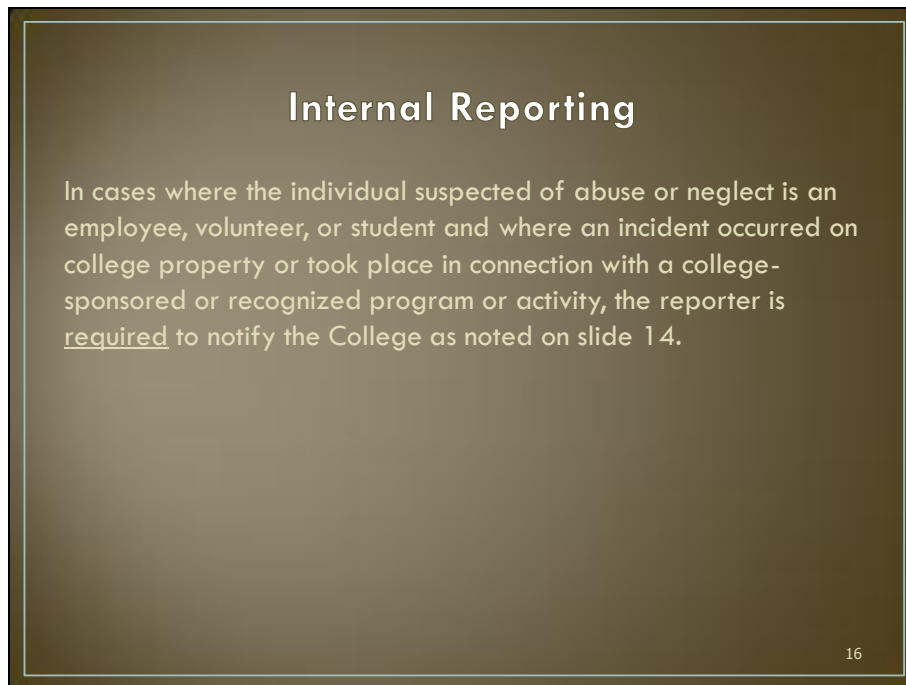
Students who are mandated reporters as a result of their enrollment in an education, child care or school service personnel program are encouraged to promptly inform the dean/instructor/coordinator leading the program if a report is taken. With the reporter's permission, the dean/instructor/coordinator will then work with the student to notify a member of the Behavioral Intervention Team and ensure that the associate vice president of human resources receives a copy of the CANTS 5 form. Internal notification is subject to the discretion of the reporter.

A member of the Behavioral Intervention Team shall assist the reporter in further compliance with these procedures if the reporter requests assistance. The associate vice president of human resources shall maintain in a separate confidential file copies of all CANTS 5 forms submitted to the DCFS by College employees, volunteers and students pursuant to the Act, whether as mandated or as permissive reporters. Internal notification is subject to the discretion of the reporter.

Internal Reporting

The Act prohibits anyone, including a supervisor or program coordinator, from suppressing, changing or editing an abuse or neglect report.

Also, simply telling your supervisor or a member of the BIT of your suspicion is not enough, you must contact DCFS!



Internal Reporting

In cases where the individual suspected of abuse or neglect is an employee, volunteer, or student and where an incident occurred on college property or took place in connection with a college-sponsored or recognized program or activity, the reporter is required to notify the College as noted on slide 14.

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In the event that the individual suspected of abuse is the reporter's supervisor or dean/instructor/coordinator, the reporter shall directly notify a member of the Behavioral Intervention Team. Should the individual suspected of abuse or neglect be the associate VP, human resources, a copy of the CANTS 5 form shall be given to the associate VP, student services.

Slide 14 - promptly inform his or her supervisor and/or a member of the Behavioral Intervention Team (AA/EOE officer, associate vice president of student services, behavioral intervention officer, crisis counselor, deputy, or director of adult education) that an abuse or neglect report has been made and, provide the associate vice president of human resources with a copy of the written confirmation of the report as submitted on the CANTS 5 Form.

Failure to Report

- Any mandated reporter of Highland Community College who fails to report suspected child abuse or neglect may be subject to discipline, up to and including termination, expulsion and/or other sanctions.
- Willful failure to report suspected incidents of child abuse or neglect is a misdemeanor (first violation) punishable by a term of imprisonment for up to one year, or by a fine not to exceed \$1,000, or both.

Second or subsequent violation is a class 4 felony.

If in doubt about whether someone's actions constitute neglect or abuse, make a good faith report.

Immunity for Making a Good Faith Report

- Individuals who in good faith make reports of suspected abuse or neglect are provided with certain statutory immunities from civil and/or criminal liability.
- The reporting employee's or student's name shall not be disclosed to the parent or guardian of the child involved unless required by law.

Retaliation

Highland's policy states....

“Retaliation against any employee, student, volunteer or other individual who makes a good faith report of abuse or neglect or who participates in any investigation of abuse or neglect is prohibited. Anyone found to have engaged in prohibited retaliation may be subject to discipline, up to and including termination, expulsion and/or other sanctions. “

Investigation

All College employees, volunteers and students are expected to cooperate with the DCFS in identifying child abuse or neglect, in accordance with the investigation procedures, as well as cooperate with any internal investigation conducted by the College, when applicable.

Acknowledgement of Mandated Reporter Status

Each employee, volunteer and student who is mandated by virtue of employment, volunteer status or enrollment to report suspected child abuse or neglect pursuant to the Act shall sign the Acknowledgement of Mandated Reporter Status on the DCFS CANTS 22 Form confirming his or her knowledge and understanding of the reporting requirements of the Act.

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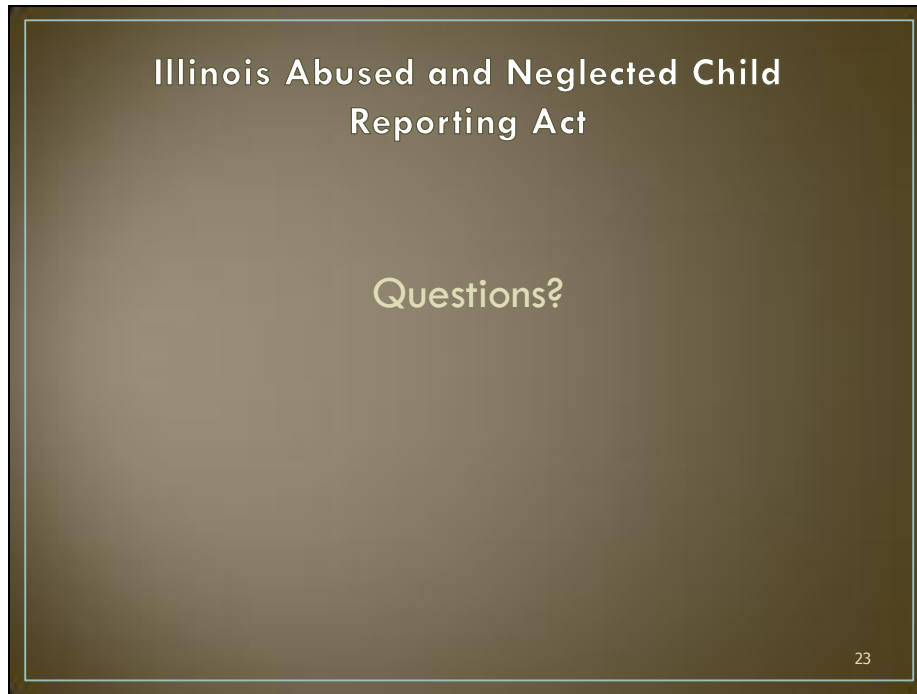
Law requires that the signed form shall be maintained in each mandated reporter's personnel, volunteer or student file. Employees, volunteers and students hired or enrolled in education programs prior to the amendment of the Act will be required to sign the Acknowledgement of Mandated Reporter Status as well. All Acknowledgement of Mandated Reporter Status (DCFS CANTS 22) Forms should be submitted to the Coordinator, Staff Development & HRIS to ensure that the form is placed in the appropriate file.

New hires will be expected to complete the form prior to starting employment if at all possible. HR will be adding the acknowledgment form and resources for additional information to new hire packets. I will be getting the forms to divisions and other departments who do their own hiring so they can add to their new hire packets.

Illinois Department of Children & Family Services

What resources are available to help Highland Community College employees understand their legal obligation to report child abuse or neglect?

- **Illinois DCFS Mandated Reporter Manual**
(<https://mr.dcfstraining.org/public/pdf/en/Mandated-Reporter-Manual.pdf>)
- **Abused and Neglected Child Reporting Act**
(<https://mr.dcfstraining.org/public/pdf/en/Abused-and-Neglected-Child-Reporting-Act.pdf>)
- **Mandated Reporter Training (DCFS)**
(<https://mr.dcfstraining.org/UserAuth/LoginloginPage.action>)



Illinois Abused and Neglected Child
Reporting Act

Questions?

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