Abused and Neglected Child Reporting Act

While everyone should be concerned about child abuse and neglect, certain individuals are required by law to report suspected instances. In 2012, the Illinois General Assembly (HB3887) added **"personnel of institutions of higher education, athletic program personnel, and early intervention providers "** to the list of "mandated reporters" set out in State of Illinois Public Act 97-0711 (325 IL CS 5/4). Mandated reporters, including all Highland Community College faculty, staff, and administrators, are those persons who, in their professional or official capacity, are required to report instances of suspected child abuse and neglect to the Illinois Department of Children and Family Services (DCFS) toll-free child abuse and neglect hotline **1-800-25-ABUSE (1-800-252-2873)**. This includes student workers and volunteers.

What is an abused or neglected child?

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 must 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). Neglect occurs when a person responsible for the child deprives or fails to provide the child with adequate food, clothing, shelter, or needed medical treatment. Neglect is also alleged when an adult provides inadequate supervision of a child. This can occur when children are left unsupervised or in the care of someone unable to supervise due to his/her condition.

Where should Highland employees report suspected child abuse or neglect?

Any Highland employee, who in their official or professional capacity, has reason to suspect that a person who is caring for a child, who lives with a child, or who works with and around children has caused injury or harm or put the child at risk of physical injury, should call the local DCFS field office or state-wide toll-free child abuse and neglect hotline (1-800-252-2873). Some examples include:

- If you see someone hitting a child with an object.
- If you see marks on a child's body that do not appear to have been caused by accident.
- If a child tells you that he or she has been harmed by someone.
- If a child appears to be undernourished, is dressed inappropriately for the weather, or is young and has been left alone.

These are a few situations when you should call the hotline. A member of the Behavior Intervention Team can also be used for guidance if you have questions, however, you should use your own judgment and call the hotline whenever you think a child has been abused or neglected.

What should I report?

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. Ideally, you should be able to tell the Hotline worker:

- 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.

DCFS has a Checklist Form that is a helpful tool for documenting. (See the Mandated Reporter Manual, Appendix B.)

What happens when I call the hotline?

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.

If a formal report is taken, a child protection investigator will begin the investigation within 24 hours -- much sooner if the child is considered in immediate risk of harm.

You must send written confirmation (CANTS 5 form) to the appropriate DCFS field office within 48 hours if the report is taken.

If you suspect a child's death may have been caused by abuse or neglect, you must also call your county's coroner or medical examiner.

What legal protections do Highland employees have when making reports?

People who report alleged child abuse or neglect in good faith cannot be held liable for damages under criminal or civil law. In addition, their names cannot be given to the person they name as the abuser or to anyone else unless ordered by a hearing officer or judge. Members of the general public may make reports without giving their names.

Mandated reporters who make good faith reports have the same immunity from liability under the law as non-mandated reporters. However, a mandated reporter's failure to report suspected instances of child abuse or neglect to DCFS constitutes a Class A misdemeanor.

Does Highland cover employees from financial liability in relation to reporting?

The College does have liability insurance that covers employees for work related matters, however, it would not cover an employee that purposefully did not report known abuse or neglect or that did not appear if subpoenaed.

What if I see or suspect abuse at a grocery store while shopping on the weekend. Do I need to report it?

It depends. You are only required to report acts of suspected abuse or neglect that you discover in your professional or official capacity as a Highland employee, including (but not limited to) any abuse that you may witness on Highland property or at a college-sponsored event. Thus, if at the grocery store you converse with one of your students who is a minor and are informed by the minor student that he or she was being abused, you would have a duty to report that information because you know that student in your official or professional capacity as a Highland employee. If, on the other hand, you witness abuse at the grocery store of a minor who you do not know in your official or professional capacity, you would not have a duty to report. However, you are not prohibited from calling the DCFS hotline at any time. Please use your best judgment.

If I know other professionals involved with a family may have already reported an abuse/neglect situation, do I still need to call the Child Abuse Hotline to make a report?

Mandated Reporters should **never assume that another professional** involved with the child **has already reported the situation** to the Hotline. It is your responsibility to call and report what you know about the situation. Even if a report has already been made, your information is still valuable, as it could assist the investigator in deciding whether to indicate the report.

Have I fulfilled by obligation as a Mandated Reporter if I tell my supervisor or other administrator about my suspicions of child abuse or neglect?

No. It is your individual responsibility as a Mandated Reporter to ENSURE that a child abuse report is made to the Hotline. Telling your supervisor or anyone else does not fulfill your legal obligation. You must ensure that the report is made.

What are the penalties for failing to make a required report?

Any person who knowingly transmits a false report to the Department commits the offense of disorderly conduct under subsection (a)(7) of Section 26-1 of the Criminal Code of 1961. A first violation of this subsection is a Class A misdemeanor, punishable by a term of imprisonment for up to one year, or by a fine not to exceed $1,000, or by both such term and fine. A second or subsequent violation is a Class 4 felony. Any mandated reporter of Highland Community College who fails to report suspected child abuse or neglect in violation of this policy may be subject to discipline, up to and including termination, expulsion and/or other sanctions.

What resources or other materials are available?

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**)

Am I required to go through the online training?

As a Highland employee or volunteer, you are a mandated reporter and are required to complete the training within three months of your date of hire. By completing the online training, you will have a better understanding of your role as a mandated reporter, the reporting process, and recognizing child abuse and neglect. You will be assigned training through SafeColleges/Vector Solutions.