**Section 431.80 Disclosure of Records of Child Abuse and Neglect Investigations**

Record information about child abuse and neglect investigations may be shared with the following individuals without the consent of the subjects of the report.

a) Department staff in the furtherance of their responsibilities under ANCRA or for the purpose of completing background investigations on persons or agencies licensed by the Department or through whom the Department provides child welfare services, and on court appointed special advocates, or for purposes of an investigation conducted by the DCFS-Office of the Inspector General under Section 35.5 of the Children and Family Services Act. Unfounded reports may be made available to the child protective service unit only when an investigator in the unit is investigating a subsequent report of suspected abuse or neglect involving a subject named in the unfounded report;

b) Department and purchase of service provider staff assessing children and families in which abuse or neglect has occurred or providing services to these children and families;

c) Department staff verifying whether a child care facility subject to Department licensing is owned or operated by known perpetrators of child abuse or neglect or whether members of the household of a family home in which a child care facility operates, or employees or volunteers who have access to children have been found to be the perpetrators of child abuse or neglect;

d) Law enforcement officers investigating a report of suspected child abuse or neglect, known or suspected involvement with child pornography, known or suspected criminal sexual assault, known or suspected criminal sexual abuse, or any other sexual offense when children are alleged to be involved;

e) *The Department of State Police when administering the provisions of the Intergovernmental Missing Child Recovery Act of 1984* [325 ILCS 5/11.1(a)(30)];

f) State's Attorneys who need access to child abuse or neglect information in the course of their assigned duties;

g) Physicians examining a child where abuse or neglect is suspected;

h) A court, upon its finding that access is necessary to determine an issue before the court. Unless the court determines that disclosure of the information in open court is necessary, this access is limited to an inspection by the judge in his or her chambers or in a courtroom free of spectators;

i) A grand jury that determines that access is necessary to conduct its official business;

j) Persons who have been authorized by the Director, in writing, to review the records for audit or research purposes or to review the records in the regular course of the Department's business. This access shall be time limited or limited to specific staff functions;

k) Persons authorized to take temporary protective custody if the information is needed to determine whether to take the child into temporary protective custody;

l) A person who has legal responsibility or authorization to care for, treat, or supervise a child or a parent, foster parent, guardian, or other person responsible for the welfare of a child who is the subject of a report;

m) Federal, state or local law enforcement officers, coroners or medical examiners, physicians, courts, school superintendents and child welfare agencies in other states who are responsible for child abuse or neglect investigations or background investigations. This information shall be requested only for the purpose of aiding the investigation, assessment or service provision or background investigation in the requesting state;

n) The Illinois Department of Financial and Professional Regulation, when determining whether a mandated reporter (as detailed in ANCRA Section 4) who failed to report child abuse or neglect should be subject to license suspension or revocation, or when determining whether to refuse to issue, suspend or revoke a State-issued license due to the person having been named a perpetrator in an indicated report of child abuse or neglect;

o) School superintendents and the State Board of Education when determining whether a teacher's certificate shall be suspended because the teacher has been named as a perpetrator in an indicated report of child abuse or neglect;

p) *A coroner or medical examiner who has reason to believe that a child has died as the result of abuse or neglect* [325 ILCS 5/11.1(a)(13)];

q) *The Director of a State-operated facility when an employee of that facility has been named as a perpetrator of an indicated report* [325 ILCS 5/11.1(a)(14)];

r) *Members of a multidisciplinary team in the furtherance of its responsibilities* under this Act [325 ILCS 5/11.1(a)(16)];

s) The operator of a licensed child care facility or a facility licensed by the Department of Human Services in which children reside when a current or prospective employee of that facility has been named as a perpetrator in an indicated child abuse or neglect report;

t) *A probation officer or other authorized representative of a probation or court services department conducting an investigation ordered by a court under the Juvenile Court Act of 1987* [325 ILCS 5/11.1(a)(8.1)];

u) *The Department of Human Services, as provided in Section 17 of the Disabled Person's Rehabilitation Act* [325 ILCS 5/11.1(a)(17)];

v) *Any other agency or investigative body, including the Department of Public Health and a local board of health, authorized by State law to conduct an investigation into the quality of care provided to children in hospitals and other State regulated care facilities. The access to and release of information from* child abuse *records shall be subject to the approval of the Director of the Department or his* or her *designee* [325 ILCS 5/11.1(a)(18)];

w) *The Department of Human Services, as provided in Section 10 of the Early Intervention Services System Act* [325 ILCS 20]*, and the operator of a facility providing early intervention services pursuant to that Act, for the purpose of determining whether a current or prospective employee who provides or may provide direct services under that Act is the perpetrator in an indicated report of child abuse or neglect filed under* ANCRA[325 ILCS 5/11.1(a)(20)];

x) *The guardian ad litem of a minor who is the subject of a report or records under* ANCRA [325 ILCS 5/11.1(a)(19)];

y) Child death review teams in accordance with 89 Ill. Adm. Code 300 (Reports of Child Abuse and Neglect), Section 300.165;

z) The general public as specified in Section 431.85; or

aa) The state's attorney, law enforcement, courtroom personnel or treatment providers when that information pertains to juveniles subject to the provisions of the Serious Habitual Offender Comprehensive Action Program [705 ILCS 405/5-145] and is used to assist in the early identification and treatment of habitual juvenile offenders.

(Source: Amended at 39 Ill. Reg. 7253, effective May 7, 2015)