



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB4246

Introduced 11/22/2022, by Sen. Mattie Hunter

SYNOPSIS AS INTRODUCED:

20 ILCS 505/21	from Ch. 23, par. 5021
20 ILCS 4104/10	
325 ILCS 5/7.01	
325 ILCS 5/7.4	from Ch. 23, par. 2057.4

Amends the Children and Family Services Act. Provides that the Department of Children and Family Services shall develop and implement a safety-based child welfare intervention system (rather than a standardized child endangerment risk assessment protocol), a standardized method for demonstration of proficiency in application of the safety-based child welfare intervention system, and an evaluation of the reliability and validity of the safety-based child welfare intervention system. Requires all child protective investigators and supervisors and child welfare specialists and supervisors employed by the Department to demonstrate proficiency in application of the safety-based child welfare intervention system previous to being permitted to make safety decisions about the children for whom they are responsible. Requires the Department to establish a multi-disciplinary advisory committee to advise the Department and its related contractors in the development and implementation of the safety-based child welfare intervention system. Requires the Department to develop safety-based child welfare intervention system training curriculum. Requires the Department to submit annual reports, beginning on or before December 31, 2025, to the General Assembly on the evaluation of the reliability and validity of the safety-based child welfare intervention system. Makes corresponding changes to the Advisory Committee on Reducing the Disproportionate Representation of African-American Children in Foster Care Act and the Abused and Neglected Child Reporting Act.

LRB102 29680 KTG 41720 b

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Children and Family Services Act is amended
5 by changing Section 21 as follows:

6 (20 ILCS 505/21) (from Ch. 23, par. 5021)

7 Sec. 21. Investigative powers; training.

8 (a) To make such investigations as it may deem necessary
9 to the performance of its duties.

10 (b) In the course of any such investigation any qualified
11 person authorized by the Director may administer oaths and
12 secure by its subpoena both the attendance and testimony of
13 witnesses and the production of books and papers relevant to
14 such investigation. Any person who is served with a subpoena
15 by the Department to appear and testify or to produce books and
16 papers, in the course of an investigation authorized by law,
17 and who refuses or neglects to appear, or to testify, or to
18 produce books and papers relevant to such investigation, as
19 commanded in such subpoena, shall be guilty of a Class B
20 misdemeanor. The fees of witnesses for attendance and travel
21 shall be the same as the fees of witnesses before the circuit
22 courts of this State. Any circuit court of this State, upon
23 application of the person requesting the hearing or the

1 Department, may compel the attendance of witnesses, the
2 production of books and papers, and giving of testimony before
3 the Department or before any authorized officer or employee
4 thereof, by an attachment for contempt or otherwise, in the
5 same manner as production of evidence may be compelled before
6 such court. Every person who, having taken an oath or made
7 affirmation before the Department or any authorized officer or
8 employee thereof, shall willfully swear or affirm falsely,
9 shall be guilty of perjury and upon conviction shall be
10 punished accordingly.

11 (c) Investigations initiated under this Section shall
12 provide individuals due process of law, including the right to
13 a hearing, to cross-examine witnesses, to obtain relevant
14 documents, and to present evidence. Administrative findings
15 shall be subject to the provisions of the Administrative
16 Review Law.

17 (d) Beginning July 1, 1988, any child protective
18 investigator or supervisor or child welfare specialist or
19 supervisor employed by the Department on the effective date of
20 this amendatory Act of 1987 shall have completed a training
21 program which shall be instituted by the Department. The
22 training program shall include, but not be limited to, the
23 following: (1) training in the detection of symptoms of child
24 neglect and drug abuse; (2) specialized training for dealing
25 with families and children of drug abusers; and (3) specific
26 training in child development, family dynamics and interview

1 techniques. Such program shall conform to the criteria and
2 curriculum developed under Section 4 of the Child Protective
3 Investigator and Child Welfare Specialist Certification Act of
4 1987. Failure to complete such training due to lack of
5 opportunity provided by the Department shall in no way be
6 grounds for any disciplinary or other action against an
7 investigator or a specialist.

8 The Department shall develop a continuous inservice staff
9 development program and evaluation system. Each child
10 protective investigator and supervisor and child welfare
11 specialist and supervisor shall participate in such program
12 and evaluation and shall complete a minimum of 20 hours of
13 inservice education and training every 2 years in order to
14 maintain certification.

15 Any child protective investigator or child protective
16 supervisor, or child welfare specialist or child welfare
17 specialist supervisor hired by the Department who begins his
18 actual employment after the effective date of this amendatory
19 Act of 1987, shall be certified pursuant to the Child
20 Protective Investigator and Child Welfare Specialist
21 Certification Act of 1987 before he begins such employment.
22 Nothing in this Act shall replace or diminish the rights of
23 employees under the Illinois Public Labor Relations Act, as
24 amended, or the National Labor Relations Act. In the event of
25 any conflict between either of those Acts, or any collective
26 bargaining agreement negotiated thereunder, and the provisions

1 of subsections (d) and (e), the former shall prevail and
2 control.

3 (e) The Department shall develop and implement the
4 following:

5 (1) A safety-based child welfare intervention system
6 ~~standardized child endangerment risk assessment protocol.~~

7 (2) Related training procedures.

8 (3) A standardized method for demonstration of
9 proficiency in application of the safety-based child
10 welfare intervention system ~~protocol.~~

11 (4) An evaluation of the reliability and validity of
12 the safety-based child welfare intervention system
13 ~~protocol.~~

14 All child protective investigators and supervisors and child
15 welfare specialists and supervisors employed by the Department
16 or its contractors shall be required, subsequent to the
17 availability of training under this Act, to demonstrate
18 proficiency in application of the safety-based child welfare
19 intervention system ~~protocol~~ previous to being permitted to
20 make safety decisions about the ~~degree of risk posed to~~
21 children for whom they are responsible. The Department shall
22 establish a multi-disciplinary advisory committee appointed by
23 the Director, including but not limited to representatives
24 from the fields of child development, domestic violence,
25 family systems, juvenile justice, law enforcement, health
26 care, mental health, substance abuse, and social service to

1 advise the Department and its related contractors in the
2 development and implementation of the safety-based child
3 welfare intervention system ~~child endangerment risk assessment~~
4 ~~protocol~~, related training, method for demonstration of
5 proficiency in application of the safety-based child welfare
6 intervention system ~~protocol~~, and evaluation of the
7 reliability and validity of the safety-based child welfare
8 intervention system ~~protocol~~. The Department shall develop the
9 safety-based child welfare intervention system ~~protocol~~,
10 training curriculum, method for demonstration of proficiency
11 in application of the safety-based child welfare intervention
12 system, ~~protocol~~ and method for evaluation of the reliability
13 and validity of the safety-based child welfare intervention
14 system ~~protocol~~ by ~~July 1, 1995~~. Training and demonstration of
15 proficiency in application of the safety-based child welfare
16 intervention system ~~child endangerment risk assessment~~
17 ~~protocol~~ for all child protective investigators and
18 supervisors and child welfare specialists and supervisors
19 shall be completed as soon as practicable, ~~but no later than~~
20 ~~January 1, 1996~~. The Department shall submit to the General
21 Assembly on or before December 31, 2025 ~~May 1, 1996~~, and every
22 year thereafter, an annual report on the evaluation of the
23 reliability and validity of the safety-based child welfare
24 intervention system ~~child endangerment risk assessment~~
25 ~~protocol~~. The Department shall contract with a not for profit
26 organization with demonstrated expertise in the field of

1 safety-based child welfare intervention ~~child endangerment~~
2 ~~risk assessment~~ to assist in the development and
3 implementation of the safety-based child welfare intervention
4 system ~~child endangerment risk assessment protocol~~, related
5 training, method for demonstration of proficiency in
6 application of the safety-based child welfare intervention
7 system ~~protocol~~, and evaluation of the reliability and
8 validity of the safety-based child welfare intervention system
9 ~~protocol~~.

10 (f) The Department shall provide each parent or guardian
11 and responsible adult caregiver participating in a safety plan
12 a copy of the written safety plan as signed by each parent or
13 guardian and responsible adult caregiver and by a
14 representative of the Department. The Department shall also
15 provide each parent or guardian and responsible adult
16 caregiver safety plan information on their rights and
17 responsibilities that shall include, but need not be limited
18 to, information on how to obtain medical care, emergency phone
19 numbers, and information on how to notify schools or day care
20 providers as appropriate. The Department's representative
21 shall ensure that the safety plan is reviewed and approved by
22 the child protection supervisor.

23 (Source: P.A. 98-830, eff. 1-1-15.)

24 Section 10. The Advisory Commission on Reducing the
25 Disproportionate Representation of African-American Children

1 in Foster Care Act is amended by changing Section 10 as
2 follows:

3 (20 ILCS 4104/10)

4 Sec. 10. Advisory Commission on Reducing the
5 Disproportionate Representation of African-American Children
6 in Foster Care.

7 (a) The Advisory Commission on Reducing the
8 Disproportionate Representation of African-American Children
9 in Foster Care is created and shall have the following
10 appointed members:

11 (1) One member appointed by the Governor or his or her
12 designee.

13 (2) One member appointed by the Speaker of the House
14 of Representatives or his or her designee.

15 (3) One member appointed by the Minority Leader of the
16 House of Representatives or his or her designee.

17 (4) One member appointed by the President of the
18 Senate or his or her designee.

19 (5) One member appointed by the Minority Leader of the
20 Senate or his or her designee.

21 (6) The Department on Aging, the Department of
22 Children and Family Services, the Department of Human
23 Services, the Department of Juvenile Justice, the
24 Department of Commerce and Economic Opportunity, the
25 Department of Healthcare and Family Services, the

1 Department of Public Health, the State Board of Education,
2 the Board of Higher Education, the Illinois Community
3 College Board, the Department of Human Rights, the Capital
4 Development Board, the Department of Corrections, and the
5 Department of Labor shall each appoint a liaison to serve
6 ex officio on the Commission.

7 (7) One member from the Task Force on Strengthening
8 Child Welfare Workforce for Children and Families.

9 (8) One member from the Safety-Based Child Welfare
10 Intervention ~~Child Endangerment Risk Assessment Protocol~~
11 Advisory Committee.

12 (9) Two members representing nonprofit organizations
13 that advocate for African-American children or youth to be
14 appointed by the Governor or his or her designee.

15 (b) The Governor or his or her designee shall appoint the
16 chairperson or chairpersons.

17 (c) Each member appointed to the Commission shall have a
18 working knowledge of Illinois' child welfare system. The
19 members shall reflect regional representation to ensure that
20 the needs of African-American families and children throughout
21 the State of Illinois are met.

22 (d) Members shall be appointed within 60 days after the
23 effective date of this Act. The Advisory Commission shall hold
24 its initial meetings within 60 days after at least 50% of the
25 members have been appointed.

26 (e) Vacancies on the Advisory Commission shall be filled

1 in the same manner as initial appointments. Appointments to
2 fill vacancies occurring before the expiration of a term shall
3 be for the remainder of the unexpired term. Members shall
4 serve without compensation but may be reimbursed for actual
5 necessary expenses incurred in the performance of their
6 duties.

7 (f) The Department of Children and Family Services shall
8 provide administrative support to the Advisory Commission.

9 (Source: P.A. 102-470, eff. 8-20-21.)

10 Section 15. The Abused and Neglected Child Reporting Act
11 is amended by changing Sections 7.01 and 7.4 as follows:

12 (325 ILCS 5/7.01)

13 Sec. 7.01. Reports made by mandated reporters that require
14 a child welfare services referral ~~Safety assessments for~~
15 ~~reports made by mandated reporters.~~

16 (a) When a report is made by a mandated reporter to the
17 statewide toll-free telephone number established under Section
18 7.6 of this Act and there is a prior indicated report of abuse
19 or neglect, or there is a prior open service case involving any
20 member of the household, the Department must, at a minimum,
21 accept the report as a child welfare services referral. If the
22 family refuses to cooperate or refuses access to the home or
23 children, then a child protective services investigation shall
24 be initiated if the facts otherwise meet the criteria to

1 accept a report.

2 As used in this Section, "child welfare services referral"
3 means an assessment of the family for service needs and
4 linkage to available local community resources for the purpose
5 of preventing or remedying or assisting in the solution of
6 problems which may result in the neglect, abuse, exploitation,
7 or delinquency of children, and as further defined in
8 Department rules and procedures.

9 As used in this Section, "prior open service case" means a
10 case in which the Department has provided services to the
11 family either directly or through a purchase of service
12 agency.

13 (b) One year after the effective date of this amendatory
14 Act of the 101st General Assembly, the Auditor General shall
15 commence a performance audit of the Department of Children and
16 Family Services to determine whether the Department is meeting
17 the requirements of this Section. Within 2 years after the
18 audit's release, the Auditor General shall commence a
19 follow-up performance audit to determine whether the
20 Department has implemented the recommendations contained in
21 the initial performance audit. Upon completion of each audit,
22 the Auditor General shall report its findings to the General
23 Assembly. The Auditor General's reports shall include any
24 issues or deficiencies and recommendations. The audits
25 required by this Section shall be in accordance with and
26 subject to the Illinois State Auditing Act.

1 (Source: P.A. 101-237, eff. 1-1-20.)

2 (325 ILCS 5/7.4) (from Ch. 23, par. 2057.4)

3 Sec. 7.4. (a) The Department shall be capable of receiving
4 reports of suspected child abuse or neglect 24 hours a day, 7
5 days a week. Whenever the Department receives a report
6 alleging that a child is a truant as defined in Section 26-2a
7 of the School Code, as now or hereafter amended, the
8 Department shall notify the superintendent of the school
9 district in which the child resides and the appropriate
10 superintendent of the educational service region. The
11 notification to the appropriate officials by the Department
12 shall not be considered an allegation of abuse or neglect
13 under this Act.

14 (a-5) The Department of Children and Family Services may
15 implement a "differential response program" in accordance with
16 criteria, standards, and procedures prescribed by rule. The
17 program may provide that, upon receiving a report, the
18 Department shall determine whether to conduct a family
19 assessment or an investigation as appropriate to prevent or
20 provide a remedy for child abuse or neglect.

21 For purposes of this subsection (a-5), "family assessment"
22 means a comprehensive assessment of child safety, risk of
23 subsequent child maltreatment, and family strengths and needs
24 that is applied to a child maltreatment report that does not
25 allege substantial child endangerment. "Family assessment"

1 does not include a determination as to whether child
2 maltreatment occurred but does determine the need for services
3 to address the safety of family members and the risk of
4 subsequent maltreatment.

5 For purposes of this subsection (a-5), "investigation"
6 means fact-gathering related to the current safety of a child
7 and the risk of subsequent abuse or neglect that determines
8 whether a report of suspected child abuse or neglect should be
9 indicated or unfounded and whether child protective services
10 are needed.

11 Under the "differential response program" implemented
12 under this subsection (a-5), the Department:

13 (1) Shall conduct an investigation on reports
14 involving substantial child abuse or neglect.

15 (2) Shall begin an immediate investigation if, at any
16 time when it is using a family assessment response, it
17 determines that there is reason to believe that
18 substantial child abuse or neglect or a serious threat to
19 the child's safety exists.

20 (3) May conduct a family assessment for reports that
21 do not allege substantial child endangerment. In
22 determining that a family assessment is appropriate, the
23 Department may consider issues, including, but not limited
24 to, child safety, parental cooperation, and the need for
25 an immediate response.

26 (4) Shall promulgate criteria, standards, and

1 procedures that shall be applied in making this
2 determination, taking into consideration the Safety-Based
3 Child Welfare Intervention System ~~Child Endangerment Risk~~
4 ~~Assessment Protocol~~ of the Department.

5 (5) May conduct a family assessment on a report that
6 was initially screened and assigned for an investigation.

7 In determining that a complete investigation is not
8 required, the Department must document the reason for
9 terminating the investigation and notify the local law
10 enforcement agency or the Illinois State Police if the local
11 law enforcement agency or Illinois State Police is conducting
12 a joint investigation.

13 Once it is determined that a "family assessment" will be
14 implemented, the case shall not be reported to the central
15 register of abuse and neglect reports.

16 During a family assessment, the Department shall collect
17 any available and relevant information to determine child
18 safety, risk of subsequent abuse or neglect, and family
19 strengths.

20 Information collected includes, but is not limited to,
21 when relevant: information with regard to the person reporting
22 the alleged abuse or neglect, including the nature of the
23 reporter's relationship to the child and to the alleged
24 offender, and the basis of the reporter's knowledge for the
25 report; the child allegedly being abused or neglected; the
26 alleged offender; the child's caretaker; and other collateral

1 sources having relevant information related to the alleged
2 abuse or neglect. Information relevant to the assessment must
3 be asked for, and may include:

4 (A) The child's sex and age, prior reports of abuse or
5 neglect, information relating to developmental
6 functioning, credibility of the child's statement, and
7 whether the information provided under this paragraph (A)
8 is consistent with other information collected during the
9 course of the assessment or investigation.

10 (B) The alleged offender's age, a record check for
11 prior reports of abuse or neglect, and criminal charges
12 and convictions. The alleged offender may submit
13 supporting documentation relevant to the assessment.

14 (C) Collateral source information regarding the
15 alleged abuse or neglect and care of the child. Collateral
16 information includes, when relevant: (i) a medical
17 examination of the child; (ii) prior medical records
18 relating to the alleged maltreatment or care of the child
19 maintained by any facility, clinic, or health care
20 professional, and an interview with the treating
21 professionals; and (iii) interviews with the child's
22 caretakers, including the child's parent, guardian, foster
23 parent, child care provider, teachers, counselors, family
24 members, relatives, and other persons who may have
25 knowledge regarding the alleged maltreatment and the care
26 of the child.

1 (D) Information on the existence of domestic abuse and
2 violence in the home of the child, and substance abuse.

3 Nothing in this subsection (a-5) precludes the Department
4 from collecting other relevant information necessary to
5 conduct the assessment or investigation. Nothing in this
6 subsection (a-5) shall be construed to allow the name or
7 identity of a reporter to be disclosed in violation of the
8 protections afforded under Section 7.19 of this Act.

9 After conducting the family assessment, the Department
10 shall determine whether services are needed to address the
11 safety of the child and other family members and the risk of
12 subsequent abuse or neglect.

13 Upon completion of the family assessment, if the
14 Department concludes that no services shall be offered, then
15 the case shall be closed. If the Department concludes that
16 services shall be offered, the Department shall develop a
17 family preservation plan and offer or refer services to the
18 family.

19 At any time during a family assessment, if the Department
20 believes there is any reason to stop the assessment and
21 conduct an investigation based on the information discovered,
22 the Department shall do so.

23 The procedures available to the Department in conducting
24 investigations under this Act shall be followed as appropriate
25 during a family assessment.

26 If the Department implements a differential response

1 program authorized under this subsection (a-5), the Department
2 shall arrange for an independent evaluation of the program for
3 at least the first 3 years of implementation to determine
4 whether it is meeting the goals in accordance with Section 2 of
5 this Act.

6 The Department may adopt administrative rules necessary
7 for the execution of this Section, in accordance with Section
8 4 of the Children and Family Services Act.

9 The Department shall submit a report to the General
10 Assembly by January 15, 2018 on the implementation progress
11 and recommendations for additional needed legislative changes.

12 (b) (1) The following procedures shall be followed in the
13 investigation of all reports of suspected abuse or neglect of
14 a child, except as provided in subsection (c) of this Section.

15 (2) If, during a family assessment authorized by
16 subsection (a-5) or an investigation, it appears that the
17 immediate safety or well-being of a child is endangered, that
18 the family may flee or the child disappear, or that the facts
19 otherwise so warrant, the Child Protective Service Unit shall
20 commence an investigation immediately, regardless of the time
21 of day or night. All other investigations shall be commenced
22 within 24 hours of receipt of the report. Upon receipt of a
23 report, the Child Protective Service Unit shall conduct a
24 family assessment authorized by subsection (a-5) or begin an
25 initial investigation and make an initial determination
26 whether the report is a good faith indication of alleged child

1 abuse or neglect.

2 (3) Based on an initial investigation, if the Unit
3 determines the report is a good faith indication of alleged
4 child abuse or neglect, then a formal investigation shall
5 commence and, pursuant to Section 7.12 of this Act, may or may
6 not result in an indicated report. The formal investigation
7 shall include: direct contact with the subject or subjects of
8 the report as soon as possible after the report is received; an
9 evaluation of the environment of the child named in the report
10 and any other children in the same environment; a
11 determination of the risk to such children if they continue to
12 remain in the existing environments, as well as a
13 determination of the nature, extent and cause of any condition
14 enumerated in such report; the name, age and condition of
15 other children in the environment; and an evaluation as to
16 whether there would be an immediate and urgent necessity to
17 remove the child from the environment if appropriate family
18 preservation services were provided. After seeing to the
19 safety of the child or children, the Department shall
20 forthwith notify the subjects of the report in writing, of the
21 existence of the report and their rights existing under this
22 Act in regard to amendment or expungement. To fulfill the
23 requirements of this Section, the Child Protective Service
24 Unit shall have the capability of providing or arranging for
25 comprehensive emergency services to children and families at
26 all times of the day or night.

1 (4) If (i) at the conclusion of the Unit's initial
2 investigation of a report, the Unit determines the report to
3 be a good faith indication of alleged child abuse or neglect
4 that warrants a formal investigation by the Unit, the
5 Department, any law enforcement agency or any other
6 responsible agency and (ii) the person who is alleged to have
7 caused the abuse or neglect is employed or otherwise engaged
8 in an activity resulting in frequent contact with children and
9 the alleged abuse or neglect are in the course of such
10 employment or activity, then the Department shall, except in
11 investigations where the Director determines that such
12 notification would be detrimental to the Department's
13 investigation, inform the appropriate supervisor or
14 administrator of that employment or activity that the Unit has
15 commenced a formal investigation pursuant to this Act, which
16 may or may not result in an indicated report. The Department
17 shall also notify the person being investigated, unless the
18 Director determines that such notification would be
19 detrimental to the Department's investigation.

20 (c) In an investigation of a report of suspected abuse or
21 neglect of a child by a school employee at a school or on
22 school grounds, the Department shall make reasonable efforts
23 to follow the following procedures:

24 (1) Investigations involving teachers shall not, to
25 the extent possible, be conducted when the teacher is
26 scheduled to conduct classes. Investigations involving

1 other school employees shall be conducted so as to
2 minimize disruption of the school day. The school employee
3 accused of child abuse or neglect may have his superior,
4 his association or union representative and his attorney
5 present at any interview or meeting at which the teacher
6 or administrator is present. The accused school employee
7 shall be informed by a representative of the Department,
8 at any interview or meeting, of the accused school
9 employee's due process rights and of the steps in the
10 investigation process. These due process rights shall also
11 include the right of the school employee to present
12 countervailing evidence regarding the accusations. In an
13 investigation in which the alleged perpetrator of abuse or
14 neglect is a school employee, including, but not limited
15 to, a school teacher or administrator, and the
16 recommendation is to determine the report to be indicated,
17 in addition to other procedures as set forth and defined
18 in Department rules and procedures, the employee's due
19 process rights shall also include: (i) the right to a copy
20 of the investigation summary; (ii) the right to review the
21 specific allegations which gave rise to the investigation;
22 and (iii) the right to an administrator's teleconference
23 which shall be convened to provide the school employee
24 with the opportunity to present documentary evidence or
25 other information that supports his or her position and to
26 provide information before a final finding is entered.

1 (2) If a report of neglect or abuse of a child by a
2 teacher or administrator does not involve allegations of
3 sexual abuse or extreme physical abuse, the Child
4 Protective Service Unit shall make reasonable efforts to
5 conduct the initial investigation in coordination with the
6 employee's supervisor.

7 If the Unit determines that the report is a good faith
8 indication of potential child abuse or neglect, it shall
9 then commence a formal investigation under paragraph (3)
10 of subsection (b) of this Section.

11 (3) If a report of neglect or abuse of a child by a
12 teacher or administrator involves an allegation of sexual
13 abuse or extreme physical abuse, the Child Protective Unit
14 shall commence an investigation under paragraph (2) of
15 subsection (b) of this Section.

16 (c-5) In any instance in which a report is made or caused
17 to made by a school district employee involving the conduct of
18 a person employed by the school district, at the time the
19 report was made, as required under Section 4 of this Act, the
20 Child Protective Service Unit shall send a copy of its final
21 finding report to the general superintendent of that school
22 district.

23 (c-10) The Department may recommend that a school district
24 remove a school employee who is the subject of an
25 investigation from his or her employment position pending the
26 outcome of the investigation; however, all employment

1 decisions regarding school personnel shall be the sole
2 responsibility of the school district or employer. The
3 Department may not require a school district to remove a
4 school employee from his or her employment position or limit
5 the school employee's duties pending the outcome of an
6 investigation.

7 (d) If the Department has contact with an employer, or
8 with a religious institution or religious official having
9 supervisory or hierarchical authority over a member of the
10 clergy accused of the abuse of a child, in the course of its
11 investigation, the Department shall notify the employer or the
12 religious institution or religious official, in writing, when
13 a report is unfounded so that any record of the investigation
14 can be expunged from the employee's or member of the clergy's
15 personnel or other records. The Department shall also notify
16 the employee or the member of the clergy, in writing, that
17 notification has been sent to the employer or to the
18 appropriate religious institution or religious official
19 informing the employer or religious institution or religious
20 official that the Department's investigation has resulted in
21 an unfounded report.

22 (d-1) Whenever a report alleges that a child was abused or
23 neglected while receiving care in a hospital, including a
24 freestanding psychiatric hospital licensed by the Department
25 of Public Health, the Department shall send a copy of its final
26 finding to the Director of Public Health and the Director of

1 Healthcare and Family Services.

2 (e) Upon request by the Department, the Illinois State
3 Police and law enforcement agencies are authorized to provide
4 criminal history record information as defined in the Illinois
5 Uniform Conviction Information Act and information maintained
6 in the adjudicatory and dispositional record system as defined
7 in Section 2605-355 of the Illinois State Police Law to
8 properly designated employees of the Department of Children
9 and Family Services if the Department determines the
10 information is necessary to perform its duties under the
11 Abused and Neglected Child Reporting Act, the Child Care Act
12 of 1969, and the Children and Family Services Act. The request
13 shall be in the form and manner required by the Illinois State
14 Police. Any information obtained by the Department of Children
15 and Family Services under this Section is confidential and may
16 not be transmitted outside the Department of Children and
17 Family Services other than to a court of competent
18 jurisdiction or unless otherwise authorized by law. Any
19 employee of the Department of Children and Family Services who
20 transmits confidential information in violation of this
21 Section or causes the information to be transmitted in
22 violation of this Section is guilty of a Class A misdemeanor
23 unless the transmittal of the information is authorized by
24 this Section or otherwise authorized by law.

25 (f) For purposes of this Section, "child abuse or neglect"
26 includes abuse or neglect of an adult resident as defined in

1 this Act.

2 (Source: P.A. 101-43, eff. 1-1-20; 102-538, eff. 8-20-21.)