



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB0579

Introduced 1/27/2005, by Rep. Sara Feigenholtz

SYNOPSIS AS INTRODUCED:

| | |
|----------------------|----------------------------|
| 105 ILCS 5/10-21.9 | from Ch. 122, par. 10-21.9 |
| 105 ILCS 5/34-18.5 | from Ch. 122, par. 34-18.5 |
| 210 ILCS 85/10.9 new | |
| 325 ILCS 5/11.1 | from Ch. 23, par. 2061.1 |

Amends the School Code. Requires employees with a school district to authorize an investigation of the central register established in the Abused and Neglected Child Reporting Act to ascertain if the employee has been determined to be a perpetrator in an indicated report of child abuse or neglect. Provides for confidentiality of the information. Provides for a criminal penalty for any employee of the Department of Children and Family Services who gives or causes to be given any confidential information concerning any child abuse or neglect reports about an employee, unless release of such information is authorized by the Abused and Neglected Child Reporting Act. Amends the Hospital Licensing Act to require employees of a facility who have any possible contact with children in the course of their duties, as a condition of such employment, to authorize an investigation of the central register established in the Abused and Neglected Child Reporting Act to ascertain if the employee has been determined to be a perpetrator in an indicated report of child abuse or neglect. Provides for confidentiality of the information. Provides for a criminal penalty for any employee of the Department of Children and Family Services who gives or causes to be given any confidential information concerning any child abuse or neglect reports about an employee, unless release of such information is authorized by the Abused and Neglected Child Reporting Act. Amends the Abused and Neglected Child Reporting Act to give the chief administrator of a hospital the access to information received pursuant to the Act.

LRB094 04165 AMC 34187 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

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 School Code is amended by changing Sections
5 10-21.9 and 34-18.5 as follows:

6 (105 ILCS 5/10-21.9) (from Ch. 122, par. 10-21.9)

7 Sec. 10-21.9. Criminal history records checks;
8 investigation of central register of child abuse and neglect.

9 (a) Certified and noncertified applicants for employment
10 with a school district, except school bus driver applicants,
11 are required as a condition of employment to authorize a
12 fingerprint-based criminal history records check to determine
13 if such applicants have been convicted of any of the enumerated
14 criminal or drug offenses in subsection (c) of this Section or
15 have been convicted, within 7 years of the application for
16 employment with the school district, of any other felony under
17 the laws of this State or of any offense committed or attempted
18 in any other state or against the laws of the United States
19 that, if committed or attempted in this State, would have been
20 punishable as a felony under the laws of this State.
21 Authorization for the check shall be furnished by the applicant
22 to the school district, except that if the applicant is a
23 substitute teacher seeking employment in more than one school
24 district, a teacher seeking concurrent part-time employment
25 positions with more than one school district (as a reading
26 specialist, special education teacher or otherwise), or an
27 educational support personnel employee seeking employment
28 positions with more than one district, any such district may
29 require the applicant to furnish authorization for the check to
30 the regional superintendent of the educational service region
31 in which are located the school districts in which the
32 applicant is seeking employment as a substitute or concurrent

1 part-time teacher or concurrent educational support personnel
2 employee. Upon receipt of this authorization, the school
3 district or the appropriate regional superintendent, as the
4 case may be, shall submit the applicant's name, sex, race, date
5 of birth, social security number, fingerprint images, and other
6 identifiers, as prescribed by the Department of State Police,
7 to the Department. The regional superintendent submitting the
8 requisite information to the Department of State Police shall
9 promptly notify the school districts in which the applicant is
10 seeking employment as a substitute or concurrent part-time
11 teacher or concurrent educational support personnel employee
12 that the check of the applicant has been requested. The
13 Department of State Police and the Federal Bureau of
14 Investigation shall furnish, pursuant to a fingerprint-based
15 criminal history records check, records of convictions, until
16 expunged, to the president of the school board for the school
17 district that requested the check, or to the regional
18 superintendent who requested the check. The Department shall
19 charge the school district or the appropriate regional
20 superintendent a fee for conducting such check, which fee shall
21 be deposited in the State Police Services Fund and shall not
22 exceed the cost of the inquiry; and the applicant shall not be
23 charged a fee for such check by the school district or by the
24 regional superintendent. Subject to appropriations for these
25 purposes, the State Superintendent of Education shall
26 reimburse school districts and regional superintendents for
27 fees paid to obtain criminal history records checks under this
28 Section.

29 (b) Any information concerning the record of convictions
30 obtained by the president of the school board or the regional
31 superintendent shall be confidential and may only be
32 transmitted to the superintendent of the school district or his
33 designee, the appropriate regional superintendent if the check
34 was requested by the school district, the presidents of the
35 appropriate school boards if the check was requested from the
36 Department of State Police by the regional superintendent, the

1 State Superintendent of Education, the State Teacher
2 Certification Board or any other person necessary to the
3 decision of hiring the applicant for employment. A copy of the
4 record of convictions obtained from the Department of State
5 Police shall be provided to the applicant for employment. If a
6 check of an applicant for employment as a substitute or
7 concurrent part-time teacher or concurrent educational support
8 personnel employee in more than one school district was
9 requested by the regional superintendent, and the Department of
10 State Police upon a check ascertains that the applicant has not
11 been convicted of any of the enumerated criminal or drug
12 offenses in subsection (c) or has not been convicted, within 7
13 years of the application for employment with the school
14 district, of any other felony under the laws of this State or
15 of any offense committed or attempted in any other state or
16 against the laws of the United States that, if committed or
17 attempted in this State, would have been punishable as a felony
18 under the laws of this State and so notifies the regional
19 superintendent, then the regional superintendent shall issue
20 to the applicant a certificate evidencing that as of the date
21 specified by the Department of State Police the applicant has
22 not been convicted of any of the enumerated criminal or drug
23 offenses in subsection (c) or has not been convicted, within 7
24 years of the application for employment with the school
25 district, of any other felony under the laws of this State or
26 of any offense committed or attempted in any other state or
27 against the laws of the United States that, if committed or
28 attempted in this State, would have been punishable as a felony
29 under the laws of this State. The school board of any school
30 district located in the educational service region served by
31 the regional superintendent who issues such a certificate to an
32 applicant for employment as a substitute teacher in more than
33 one such district may rely on the certificate issued by the
34 regional superintendent to that applicant, or may initiate its
35 own criminal history records check of the applicant through the
36 Department of State Police as provided in subsection (a). Any

1 person who releases any confidential information concerning
2 any criminal convictions of an applicant for employment shall
3 be guilty of a Class A misdemeanor, unless the release of such
4 information is authorized by this Section.

5 (c) No school board shall knowingly employ a person who has
6 been convicted for committing attempted first degree murder or
7 for committing or attempting to commit first degree murder or a
8 Class X felony or any one or more of the following offenses:

9 (i) those defined in Sections 11-6, 11-9, 11-14, 11-15,
10 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20,
11 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15 and 12-16 of the
12 "Criminal Code of 1961"; (ii) those defined in the "Cannabis
13 Control Act" except those defined in Sections 4(a), 4(b) and
14 5(a) of that Act; (iii) those defined in the "Illinois
15 Controlled Substances Act"; and (iv) any offense committed or
16 attempted in any other state or against the laws of the United
17 States, which if committed or attempted in this State, would
18 have been punishable as one or more of the foregoing offenses.
19 Further, no school board shall knowingly employ a person who
20 has been found to be the perpetrator of sexual or physical
21 abuse of any minor under 18 years of age pursuant to
22 proceedings under Article II of the Juvenile Court Act of 1987.

23 (d) No school board shall knowingly employ a person for
24 whom a criminal history records check has not been initiated.

25 (d-5) Certified and noncertified employees with a school
26 district must authorize in writing on a form prescribed by the
27 Department of Children and Family Services an investigation of
28 the central register established in the Abused and Neglected
29 Child Reporting Act to ascertain if the employee has been
30 determined to be a perpetrator in an indicated report of child
31 abuse or neglect. All school districts must maintain the
32 information that demonstrates that all current employees have
33 authorized an investigation of the central register as required
34 in this Section. Such information concerning an employee
35 obtained by the superintendent of a school district is
36 confidential and exempt from public inspection and copying as

1 provided under Section 7 of the Freedom of Information Act and
2 may not be transmitted to any other person, except as otherwise
3 provided in the Abused and Neglected Child Reporting Act and
4 except as needed to evaluate the employee for employment
5 purposes. Any employee of the Department of Children and Family
6 Services who gives or causes to be given any confidential
7 information concerning any child abuse or neglect reports about
8 a district employee is guilty of a Class A misdemeanor, unless
9 release of such information is authorized by the Abused and
10 Neglected Child Reporting Act. Any school district that is
11 informed by the Department of Children and Family Services,
12 pursuant to Section 7.4 of the Abused and Neglected Child
13 Reporting Act, that a formal investigation has commenced
14 relating to an employee of the school district must take all
15 reasonable action necessary to ensure that the employee is
16 restricted during the pendency of the investigation from
17 contact with children whose care has been entrusted to the
18 school district.

19 (e) Upon receipt of the record of a conviction of or a
20 finding of child abuse by a holder of any certificate issued
21 pursuant to Article 21 or Section 34-8.1 or 34-83 of the School
22 Code, the appropriate regional superintendent of schools or the
23 State Superintendent of Education shall initiate the
24 certificate suspension and revocation proceedings authorized
25 by law.

26 (f) After January 1, 1990 the provisions of this Section
27 shall apply to all employees of persons or firms holding
28 contracts with any school district including, but not limited
29 to, food service workers, school bus drivers and other
30 transportation employees, who have direct, daily contact with
31 the pupils of any school in such district. For purposes of
32 criminal history records checks on employees of persons or
33 firms holding contracts with more than one school district and
34 assigned to more than one school district, the regional
35 superintendent of the educational service region in which the
36 contracting school districts are located may, at the request of

1 any such school district, be responsible for receiving the
2 authorization for a check prepared by each such employee and
3 submitting the same to the Department of State Police. Any
4 information concerning the record of conviction of any such
5 employee obtained by the regional superintendent shall be
6 promptly reported to the president of the appropriate school
7 board or school boards.

8 (Source: P.A. 93-418, eff. 1-1-04; 93-909, eff. 8-12-04.)

9 (105 ILCS 5/34-18.5) (from Ch. 122, par. 34-18.5)

10 Sec. 34-18.5. Criminal history records checks;
11 investigation of central register of child abuse and neglect.

12 (a) Certified and noncertified applicants for employment
13 with the school district are required as a condition of
14 employment to authorize a fingerprint-based criminal history
15 records check to determine if such applicants have been
16 convicted of any of the enumerated criminal or drug offenses in
17 subsection (c) of this Section or have been convicted, within 7
18 years of the application for employment with the school
19 district, of any other felony under the laws of this State or
20 of any offense committed or attempted in any other state or
21 against the laws of the United States that, if committed or
22 attempted in this State, would have been punishable as a felony
23 under the laws of this State. Authorization for the check shall
24 be furnished by the applicant to the school district, except
25 that if the applicant is a substitute teacher seeking
26 employment in more than one school district, or a teacher
27 seeking concurrent part-time employment positions with more
28 than one school district (as a reading specialist, special
29 education teacher or otherwise), or an educational support
30 personnel employee seeking employment positions with more than
31 one district, any such district may require the applicant to
32 furnish authorization for the check to the regional
33 superintendent of the educational service region in which are
34 located the school districts in which the applicant is seeking
35 employment as a substitute or concurrent part-time teacher or

1 concurrent educational support personnel employee. Upon
2 receipt of this authorization, the school district or the
3 appropriate regional superintendent, as the case may be, shall
4 submit the applicant's name, sex, race, date of birth, social
5 security number, fingerprint images, and other identifiers, as
6 prescribed by the Department of State Police, to the
7 Department. The regional superintendent submitting the
8 requisite information to the Department of State Police shall
9 promptly notify the school districts in which the applicant is
10 seeking employment as a substitute or concurrent part-time
11 teacher or concurrent educational support personnel employee
12 that the check of the applicant has been requested. The
13 Department of State Police and the Federal Bureau of
14 Investigation shall furnish, pursuant to a fingerprint-based
15 criminal history records check, records of convictions, until
16 expunged, to the president of the school board for the school
17 district that requested the check, or to the regional
18 superintendent who requested the check. The Department shall
19 charge the school district or the appropriate regional
20 superintendent a fee for conducting such check, which fee shall
21 be deposited in the State Police Services Fund and shall not
22 exceed the cost of the inquiry; and the applicant shall not be
23 charged a fee for such check by the school district or by the
24 regional superintendent. Subject to appropriations for these
25 purposes, the State Superintendent of Education shall
26 reimburse the school district and regional superintendent for
27 fees paid to obtain criminal history records checks under this
28 Section.

29 (b) Any information concerning the record of convictions
30 obtained by the president of the board of education or the
31 regional superintendent shall be confidential and may only be
32 transmitted to the general superintendent of the school
33 district or his designee, the appropriate regional
34 superintendent if the check was requested by the board of
35 education for the school district, the presidents of the
36 appropriate board of education or school boards if the check

1 was requested from the Department of State Police by the
2 regional superintendent, the State Superintendent of
3 Education, the State Teacher Certification Board or any other
4 person necessary to the decision of hiring the applicant for
5 employment. A copy of the record of convictions obtained from
6 the Department of State Police shall be provided to the
7 applicant for employment. If a check of an applicant for
8 employment as a substitute or concurrent part-time teacher or
9 concurrent educational support personnel employee in more than
10 one school district was requested by the regional
11 superintendent, and the Department of State Police upon a check
12 ascertains that the applicant has not been convicted of any of
13 the enumerated criminal or drug offenses in subsection (c) or
14 has not been convicted, within 7 years of the application for
15 employment with the school district, of any other felony under
16 the laws of this State or of any offense committed or attempted
17 in any other state or against the laws of the United States
18 that, if committed or attempted in this State, would have been
19 punishable as a felony under the laws of this State and so
20 notifies the regional superintendent, then the regional
21 superintendent shall issue to the applicant a certificate
22 evidencing that as of the date specified by the Department of
23 State Police the applicant has not been convicted of any of the
24 enumerated criminal or drug offenses in subsection (c) or has
25 not been convicted, within 7 years of the application for
26 employment with the school district, of any other felony under
27 the laws of this State or of any offense committed or attempted
28 in any other state or against the laws of the United States
29 that, if committed or attempted in this State, would have been
30 punishable as a felony under the laws of this State. The school
31 board of any school district located in the educational service
32 region served by the regional superintendent who issues such a
33 certificate to an applicant for employment as a substitute or
34 concurrent part-time teacher or concurrent educational support
35 personnel employee in more than one such district may rely on
36 the certificate issued by the regional superintendent to that

1 applicant, or may initiate its own criminal history records
2 check of the applicant through the Department of State Police
3 as provided in subsection (a). Any person who releases any
4 confidential information concerning any criminal convictions
5 of an applicant for employment shall be guilty of a Class A
6 misdemeanor, unless the release of such information is
7 authorized by this Section.

8 (c) The board of education shall not knowingly employ a
9 person who has been convicted for committing attempted first
10 degree murder or for committing or attempting to commit first
11 degree murder or a Class X felony or any one or more of the
12 following offenses: (i) those defined in Sections 11-6, 11-9,
13 11-14, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1,
14 11-19.2, 11-20, 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15
15 and 12-16 of the Criminal Code of 1961; (ii) those defined in
16 the Cannabis Control Act, except those defined in Sections
17 4(a), 4(b) and 5(a) of that Act; (iii) those defined in the
18 Illinois Controlled Substances Act; and (iv) any offense
19 committed or attempted in any other state or against the laws
20 of the United States, which if committed or attempted in this
21 State, would have been punishable as one or more of the
22 foregoing offenses. Further, the board of education shall not
23 knowingly employ a person who has been found to be the
24 perpetrator of sexual or physical abuse of any minor under 18
25 years of age pursuant to proceedings under Article II of the
26 Juvenile Court Act of 1987.

27 (d) The board of education shall not knowingly employ a
28 person for whom a criminal history records check has not been
29 initiated.

30 (d-5) Certified and noncertified employees with the school
31 district must authorize in writing on a form prescribed by the
32 Department of Children and Family Services an investigation of
33 the central register established in the Abused and Neglected
34 Child Reporting Act to ascertain if the employee has been
35 determined to be a perpetrator in an indicated report of child
36 abuse or neglect. The school district must maintain the

1 information that demonstrates that all current employees have
2 authorized an investigation of the central register as required
3 in this Section. Such information concerning an employee
4 obtained by the general superintendent of schools is
5 confidential and exempt from public inspection and copying as
6 provided under Section 7 of the Freedom of Information Act and
7 may not be transmitted to any other person, except as otherwise
8 provided in the Abused and Neglected Child Reporting Act and
9 except as needed to evaluate the employee for employment
10 purposes. Any employee of the Department of Children and Family
11 Services who gives or causes to be given any confidential
12 information concerning any child abuse or neglect reports about
13 a district employee is guilty of a Class A misdemeanor, unless
14 release of such information is authorized by the Abused and
15 Neglected Child Reporting Act. If the school district is
16 informed by the Department of Children and Family Services,
17 pursuant to Section 7.4 of the Abused and Neglected Child
18 Reporting Act, that a formal investigation has commenced
19 relating to an employee of the school district, it must take
20 all reasonable action necessary to ensure that the employee is
21 restricted during the pendency of the investigation from
22 contact with children whose care has been entrusted to the
23 school district.

24 (e) Upon receipt of the record of a conviction of or a
25 finding of child abuse by a holder of any certificate issued
26 pursuant to Article 21 or Section 34-8.1 or 34-83 of the School
27 Code, the board of education or the State Superintendent of
28 Education shall initiate the certificate suspension and
29 revocation proceedings authorized by law.

30 (f) After March 19, 1990, the provisions of this Section
31 shall apply to all employees of persons or firms holding
32 contracts with any school district including, but not limited
33 to, food service workers, school bus drivers and other
34 transportation employees, who have direct, daily contact with
35 the pupils of any school in such district. For purposes of
36 criminal history records checks on employees of persons or

1 firms holding contracts with more than one school district and
2 assigned to more than one school district, the regional
3 superintendent of the educational service region in which the
4 contracting school districts are located may, at the request of
5 any such school district, be responsible for receiving the
6 authorization for a check prepared by each such employee and
7 submitting the same to the Department of State Police. Any
8 information concerning the record of conviction of any such
9 employee obtained by the regional superintendent shall be
10 promptly reported to the president of the appropriate school
11 board or school boards.

12 (Source: P.A. 93-418, eff. 1-1-04; 93-909, eff. 8-12-04.)

13 Section 10. The Hospital Licensing Act is amended by adding
14 Section 10.9 as follows:

15 (210 ILCS 85/10.9 new)

16 Sec. 10.9. Investigation of the central register of child
17 abuse and neglect. All employees of a facility who have any
18 possible contact with children in the course of their duties,
19 as a condition of such employment, must authorize in writing on
20 a form prescribed by the Department of Children and Family
21 Services an investigation of the central register established
22 in the Abused and Neglected Child Reporting Act to ascertain if
23 the employee has been determined to be a perpetrator in an
24 indicated report of child abuse or neglect. All facilities, as
25 a condition of licensure pursuant to this Act, must maintain
26 the information that demonstrates that all employees who have
27 any possible contact with children in the course of their
28 duties have authorized an investigation of the central register
29 as required in this Section. Only those employees who have no
30 possible contact with children as part of their employment may
31 be excluded from the requirement that authorization of an
32 investigation be given. Such information concerning an
33 employee obtained by the chief administrator of a hospital is
34 confidential and exempt from public inspection and copying as

1 provided under Section 7 of the Freedom of Information Act and
2 may not be transmitted to any other person, except as provided
3 in the Abused and Neglected Child Reporting Act and except as
4 needed to evaluate the employee for employment purposes. Any
5 employee of the Department of Children and Family Services who
6 gives or causes to be given any confidential information
7 concerning any child abuse or neglect reports about a facility
8 employee is guilty of a Class A misdemeanor, unless release of
9 such information is authorized by the Abused and Neglected
10 Child Reporting Act. Any licensee that is informed by the
11 Department of Children and Family Services, pursuant to Section
12 7.4 of the Abused and Neglected Child Reporting Act, that a
13 formal investigation has commenced relating to an employee of
14 the facility must take all reasonable action necessary to
15 ensure that the employee is restricted during the pendency of
16 the investigation from contact with children whose care has
17 been entrusted to the facility.

18 Section 15. The Abused and Neglected Child Reporting Act is
19 amended by changing Section 11.1 as follows:

20 (325 ILCS 5/11.1) (from Ch. 23, par. 2061.1)

21 Sec. 11.1. Access to records.

22 (a) A person shall have access to the records described in
23 Section 11 only in furtherance of purposes directly connected
24 with the administration of this Act or the Intergovernmental
25 Missing Child Recovery Act of 1984. Those persons and purposes
26 for access include:

27 (1) Department staff in the furtherance of their
28 responsibilities under this Act, or for the purpose of
29 completing background investigations on persons or
30 agencies licensed by the Department or with whom the
31 Department contracts for the provision of child welfare
32 services.

33 (2) A law enforcement agency investigating known or
34 suspected child abuse or neglect, known or suspected

1 involvement with child pornography, known or suspected
2 criminal sexual assault, known or suspected criminal
3 sexual abuse, or any other sexual offense when a child is
4 alleged to be involved.

5 (3) The Department of State Police when administering
6 the provisions of the Intergovernmental Missing Child
7 Recovery Act of 1984.

8 (4) A physician who has before him a child whom he
9 reasonably suspects may be abused or neglected.

10 (5) A person authorized under Section 5 of this Act to
11 place a child in temporary protective custody when such
12 person requires the information in the report or record to
13 determine whether to place the child in temporary
14 protective custody.

15 (6) A person having the legal responsibility or
16 authorization to care for, treat, or supervise a child or a
17 parent, guardian, or other person responsible for the
18 child's welfare who is the subject of a report.

19 (7) Except in regard to harmful or detrimental
20 information as provided in Section 7.19, any subject of the
21 report, and if the subject of the report is a minor, his
22 guardian or guardian ad litem.

23 (8) A court, upon its finding that access to such
24 records may be necessary for the determination of an issue
25 before such court; however, such access shall be limited to
26 in camera inspection, unless the court determines that
27 public disclosure of the information contained therein is
28 necessary for the resolution of an issue then pending
29 before it.

30 (8.1) A probation officer or other authorized
31 representative of a probation or court services department
32 conducting an investigation ordered by a court under the
33 Juvenile Court Act of 1987.

34 (9) A grand jury, upon its determination that access to
35 such records is necessary in the conduct of its official
36 business.

1 (10) Any person authorized by the Director, in writing,
2 for audit or bona fide research purposes.

3 (11) Law enforcement agencies, coroners or medical
4 examiners, physicians, courts, school superintendents and
5 child welfare agencies in other states who are responsible
6 for child abuse or neglect investigations or background
7 investigations.

8 (12) The Department of Professional Regulation, the
9 State Board of Education and school superintendents in
10 Illinois, who may use or disclose information from the
11 records as they deem necessary to conduct investigations or
12 take disciplinary action, as provided by law.

13 (13) A coroner or medical examiner who has reason to
14 believe that a child has died as the result of abuse or
15 neglect.

16 (14) The Director of a State-operated facility when an
17 employee of that facility is the perpetrator in an
18 indicated report.

19 (15) The operator of a licensed child care facility or
20 a facility licensed by the Department of Human Services (as
21 successor to the Department of Alcoholism and Substance
22 Abuse) in which children reside when a current or
23 prospective employee of that facility is the perpetrator in
24 an indicated child abuse or neglect report, pursuant to
25 Section 4.3 of the Child Care Act of 1969.

26 (16) Members of a multidisciplinary team in the
27 furtherance of its responsibilities under subsection (b)
28 of Section 7.1. All reports concerning child abuse and
29 neglect made available to members of such
30 multidisciplinary teams and all records generated as a
31 result of such reports shall be confidential and shall not
32 be disclosed, except as specifically authorized by this Act
33 or other applicable law. It is a Class A misdemeanor to
34 permit, assist or encourage the unauthorized release of any
35 information contained in such reports or records. Nothing
36 contained in this Section prevents the sharing of reports

1 or records relating or pertaining to the death of a minor
2 under the care of or receiving services from the Department
3 of Children and Family Services and under the jurisdiction
4 of the juvenile court with the juvenile court, the State's
5 Attorney, and the minor's attorney.

6 (17) The Department of Human Services, as provided in
7 Section 17 of the Disabled Persons Rehabilitation Act.

8 (18) Any other agency or investigative body, including
9 the Department of Public Health and a local board of
10 health, authorized by State law to conduct an investigation
11 into the quality of care provided to children in hospitals
12 and other State regulated care facilities. The access to
13 and release of information from such records shall be
14 subject to the approval of the Director of the Department
15 or his designee.

16 (19) The person appointed, under Section 2-17 of the
17 Juvenile Court Act of 1987, as the guardian ad litem of a
18 minor who is the subject of a report or records under this
19 Act.

20 (20) The Department of Human Services, as provided in
21 Section 10 of the Early Intervention Services System Act,
22 and the operator of a facility providing early intervention
23 services pursuant to that Act, for the purpose of
24 determining whether a current or prospective employee who
25 provides or may provide direct services under that Act is
26 the perpetrator in an indicated report of child abuse or
27 neglect filed under this Act.

28 (21) The chief administrator of a hospital licensed
29 under the Hospital Licensing Act, who may use or disclose
30 information from the records as he or she deems necessary
31 to conduct investigations or take disciplinary action, as
32 provided by law.

33 (b) Nothing contained in this Act prevents the sharing or
34 disclosure of information or records relating or pertaining to
35 juveniles subject to the provisions of the Serious Habitual
36 Offender Comprehensive Action Program when that information is

1 used to assist in the early identification and treatment of
2 habitual juvenile offenders.

3 (c) To the extent that persons or agencies are given access
4 to information pursuant to this Section, those persons or
5 agencies may give this information to and receive this
6 information from each other in order to facilitate an
7 investigation conducted by those persons or agencies.

8 (Source: P.A. 93-147, eff. 1-1-04.)