

RESOLUTION NO. 1

**RESOLUTION OF THE BOARD OF EDUCATION OF
MCLEAN COUNTY UNIT SCHOOL DISTRICT NO. 5**

WHEREAS, pursuant to Section 7.3 of the Abused and Neglected Child Reporting Act (325 ILCS 5/1 et seq.), the Illinois Department of Children and Family Services ("DCFS") is responsible for receiving and investigating reports of child abuse or neglect; and

WHEREAS, the Act requires school personnel to immediately report or cause a report to be made to DCFS if they have reasonable cause to believe that a child known to them in their professional or official capacity may be an abused child or a neglected child; and

WHEREAS, the Board of Education and DCFS agree that it is in the best interests of the children, the schools, and the community that a written protocol be established and implemented with respect to the reporting of child abuse and neglect.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF EDUCATION OF
MCLEAN COUNTY UNIT SCHOOL DISTRICT NO. 5, MCLEAN COUNTY, ILLINOIS AS
FOLLOWS:**

Section 1. The findings and recitations set forth above are hereby adopted by the Board and incorporated herein by reference.

Section 2. The "Agreed Protocol for Child Abuse and Neglect Reporting by and between Unit 5 and DCFS" ("Protocol"), substantially in the form as and attached hereto as "Exhibit A", is hereby adopted by the Board of Education.

Section 3. The Superintendent is hereby authorized and directed to execute the Protocol.

**PASSED BY THE BOARD OF EDUCATION OF MCLEAN COUNTY UNIT SCHOOL
DISTRICT NO. 5 BY A MAJORITY VOTE THEREOF IN REGULAR AND PUBLIC SESSION
THIS 11th DAY OF MAY, 2005.**

President, Board of Education

ATTEST:

Secretary, Board of Education

**AGREED PROTOCOL FOR CHILD ABUSE AND NEGLECT
REPORTING BY AND BETWEEN UNIT 5 AND DCFS**

WHEREAS, 325 ILCS 5/7.3 provides that the Illinois Department of Children and Family Services (“DCFS”) shall be responsible for receiving and investigating reports of child abuse or neglect; and

WHEREAS, 325 ILCS 5/4 requires that school personnel (“Mandated Reporter”) associated with the Community Unit School District No. 5 of McLean and Woodford Counties, Illinois (“Unit 5”) immediately report or cause a report to be made if there is reasonable cause to believe a child known to them in their professional or official capacity may be abused; and

WHEREAS, DCFS and Unit 5 agree it is in the best interests of the children, the schools, and the community that a written protocol be established and implemented with respect to the reporting of child abuse and neglect;

NOW, THEREFORE, Unit 5, acting through its School Superintendent, and DCFS, acting through its Site Administrator, hereby agree to establish and implement the following protocol for child abuse and neglect reporting and response (“Protocol”).

I. Protocol Responsibilities of Unit 5 to DCFS

If an investigator from DCFS contacts the main office at a Unit 5 school as set forth in Part II below, identifies himself/herself with a State of Illinois identification badge and “School Protocol Letter” attached hereto and incorporated by reference at “Exhibit A”, and requests that a child(ren) be presented for an interview associated with a report of child abuse or neglect, then:

- A. Unit 5 school personnel shall promptly present the child(ren) for an interview with the DCFS investigator in a private, interior location of the school.
- B. If Unit 5 school personnel determine that appropriate staff should be present during the interview of the child(ren), then the representative(s) of Unit 5 school personnel may be present so long as said representative(s) sign(s) a CANTS 23 (non-disclosure form) attached hereto and incorporated by reference at “Exhibit B”.
- C. At the conclusion of the investigation, and after Unit 5 school administration receives a notification letter from the DCFS State Central Register that the child abuse or neglect report is indicated, then Unit 5 administration shall place said letter in the child’s permanent school record for the same amount of time the report is maintained by the DCFS State Central Register.

- D. Unit 5 school personnel shall neither make a copy of the DCFS investigator's State of Illinois identification badge, nor place same in the child(ren)'s school record.
- E. If exceptions or changes to this Protocol are needed, Unit 5 agrees to negotiate with DCFS to reach a mutual agreement for modification of this Protocol before any exceptions or changes are made.

II. Protocol Responsibilities of DCFS to Unit 5

When a report of suspected child abuse or neglect is made to the DCFS State Central Register and received by the local DCFS office for action, then within 24 hours, a DCFS investigator shall interview the child at the child's school if DCFS determines that the school is the least restrictive setting for such an interview, subject to the following:

- A. DCFS will make every effort to avoid interviewing children at school, unless DCFS assesses that the school is the least restrictive setting, or for other reasons deemed necessary by the DCFS investigator. At no time will the interview be conducted at the school for the mere convenience of the DCFS investigator.
- B. DCFS shall contact the main office at the Unit 5 school prior to going to the school to initiate an interview with a child.
- C. Upon arrival at the school, the DCFS investigator shall report to the main office at the Unit 5 school and contact the school principal or, if unavailable, the principal's designee or appropriate staff.
- D. The DCFS investigator shall identify himself/herself with a State of Illinois identification badge and "School Protocol Letter" attached hereto and incorporated by reference as "Exhibit A", and request that a child(ren) be presented for an interview associated with a report of child abuse or neglect.
- E. When Unit 5 school personnel presents the child(ren) for an interview with the DCFS investigator, the interview shall be conducted in a private, interior location of the school.
- F. If Unit 5 school personnel determine that appropriate staff should be present during the interview of the child(ren), then DCFS shall permit the representative(s) of Unit 5 school personnel to be present so long as said representative(s) sign(s) a CANTS 23 (non-disclosure form) attached hereto and incorporated by reference as "Exhibit B".

- G. At the conclusion of the interview, DCFS will make every effort to contact the parent or guardian of the alleged child victim on the same date that the interview of the child was conducted.
- H. At the conclusion of the investigation, the DCFS State Central Register shall send a notification letter to Unit 5 school administration if the child abuse report is indicated, so that Unit 5 administration can place said letter in the child's permanent school record for the same amount of time the report is maintained by the DCFS State Central Register. The DCFS State Central Register will also notify Unit 5 when the indicated final finding letter may be expunged. All mandated reporters will be notified of the outcome of the investigation by the DCFS State Central Register.
- I. If exceptions or changes to this Protocol are needed, DCFS agrees to negotiate with Unit 5 to reach a mutual agreement for modification of this Protocol before any exceptions or changes are made.

III. Term; Automatic Renewal; Termination

- A. The term of this Protocol shall be one year from the date of execution. Said Protocol shall be automatically renewed for additional one year periods unless otherwise terminated as provided under Subsection B below.
- B. Unless otherwise required by law, either party to this Protocol may terminate its responsibilities as provided herein by giving advance written notice to the other party at least 60 days before the end of the initial or any subsequent one year term.

This **PROTOCOL** for child abuse and neglect reporting is adopted and agreed to this 11th day of May, 2005.

**Community Unit School District No. 5 of McLean and
Woodford Counties, Illinois ("Unit 5"):**

Superintendent

Illinois Department of Children and Family Services ("DCFS"):

Site Administrator

W:\School Protocol for Unit 5 and DCFS

EXHIBIT A

(LETTER)

Staff of the Illinois Department of Children and Family Services (DCFS), with the proper identification, are mandated by the Abused and Neglected Child reporting Act (ANCRA) to initiate and investigate all reports of child abuse and neglect. The initiation of the report involves seeing the alleged child victim(s) within 24 hours of the time the report was taken at the Hotline.

The alleged victim should be seen in the least restrictive setting, which at times may include seeing the child(ren) at school. Public Act 81-1077 gives DCFS staff full power and authority to conduct child abuse and neglect investigations, including the right to see child victims at school. If the parent or guardian has questions about the investigation, s/he should be referred to the DCFS investigator or investigative supervisor listed below.

Child's Name

Investigator's Name

Telephone Number

Supervisor's Name

Telephone Number

Date

cc: Student Record
Investigative Record

EXHIBIT B

CANTS 23
Rev 5/98

State of Illinois
Department of Children and Family Services

ACKNOWLEDGEMENT OF NONDISCLOSURE OF INFORMATION

_____ has authorized me to be present during the interview with a representative of the Illinois Department of Children and Family Services who is investigating an alleged incident of child abuse or neglect.

I understand that all information divulged during the interview concerning the subjects of the report is strictly confidential under the Abused and Neglected Child Reporting Act (ANCRA), 325 ILCS 5 et seq., and may not be re-disclosed except as provided by ANCRA. I further understand that unauthorized disclosure or re-disclosure is a Class A misdemeanor punishable by up to 364 days in jail and/or a fine of up to \$1,000.

I hereby acknowledge that my presence during the interview does not constitute authorization to re-disclose any confidential information which may be disclosed during the interview.

Representative's Signature

Date

Authorized by:

Interviewee

Date