

## Who Must Report Child Abuse?

Northern Illinois District LCMS

### Mandatory Reporting Guidelines in the State of Illinois

Anyone *may* report child abuse, but certain classifications of workers are *mandated* to report suspected incidents of child abuse or neglect according to Illinois state law.

Among those mandated to report suspected abuse are personnel in our Lutheran congregations, schools and early childhood programs, including:

- Teachers and school personnel
- Directors and staff assistants of day care centers and nursery schools
- Child care workers
- Members of the clergy

Call the child abuse hotline as soon as possible after discovery. Then send written confirmation to DCFS within 48 hours.

Child abuse is the mistreatment of a child under the age of 18 that causes injury or puts the child at risk of physical injury. Neglect happens when there is failure to provide adequate supervision, food, clothing, shelter or other basics for a child.

The Child Abuse Hotline is available 24 hours a day: **1-800-25-ABUSE** (in Illinois) or **217-524-2606** (outside Illinois).

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### To Learn More About Reporting Child Abuse

#### Justification

HB5375 See paragraphs 8 and 11. Note in preceding paragraphs that non-certified and certified employees as well as Board of Education Members are also mentioned.  
<http://www.ilga.gov/legislation/publicacts/fulltext.asp?name=094-0888&GA=94&SessionId=50&DocTypeId=HB&DocNum=5375>

SB1428 Re: Boards of Education (changes/additions are underlined)  
<http://www.ilga.gov/legislation/95/SB/09500SB1428enr.htm>

#### Reporting

Illinois Child Abuse Hotline 1 (800) 25-ABUSE

#### Training

DCFS On-line Mandated Reporter Training  
<https://www.dcfstraining.org/manrep/index.jsp>

#### Required Form

Acknowledgment of Mandated Reporter Status  
<http://www.state.il.us/DCFS/docs/cants22.pdf>

## FAQs

Illinois Department of Child and Family Services  
<http://www.state.il.us/dcfs/index.shtml>

It is important for every person to take child abuse and neglect seriously, to be able to recognize when it happens, and to know what to do next. Care enough to call the state's child abuse hotline:

**1-800-25-ABUSE (Illinois)**

**1-800-358-5117 (TTY)**

217-524-2606 (outside Illinois)

(Caution: DO NOT use e-mail to report child abuse or neglect. It causes delays and confidentiality may not be ensured.)

### **What are child abuse and neglect?**

Hotline social workers this year will handle nearly 125,000 reports of child abuse and neglect. 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), sexual (such as fondling or incest) or emotional.

Neglect happens when a parent or responsible caretaker fails to provide adequate supervision, food, clothing, shelter or other basics for a child.

### **When should I call the hotline?**

You should call the child abuse hotline whenever you believe that a person who is caring for the child, who lives with the child, or who works with or around children has caused injury or harm or put the child at risk of physical injury as defined in the Abused and Neglected Child Reporting Act. 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. Use your own judgement and call the hotline whenever you think a child has been abused or neglected.

### **When should I not call the hotline?**

Some situations do not require calling the hotline. Use good judgement. Call only when you think a child has been or will be injured as described above. Some examples of when you should **not** call the hotline include:

- Situations where a child is causing a problem that concerns you, but the problem is not related to abuse or neglect. In some cases you may wish to call law enforcement or talk to the child's parents or relatives.
- Domestic situations where family stress is evident, but the child has not been abused or at risk of abuse. Community service agencies are often available to help.
- If you're seeking information about DCFS or its programs, our Office of Communications is available to answer questions. Call (217)785-1700, or you may call your local DCFS office.

### **What should I report?**

The hotline is staffed by social workers with special training in determining what constitutes child abuse and neglect under Illinois law. Details are important. 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.

### **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 there is not enough information to make a report, the worker will tell you so and answer any questions you may have.

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.

### **How am I protected?**

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 are not 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.

### **Should I call the police?**

Always call the child abuse hotline. However, you should also consider calling the police -- especially in emergencies or when the child has been injured.

### **How else can I help?**

The Illinois income tax check-off program enables anyone to donate to the Child Abuse Prevention Fund when they file their state income tax returns. The money is used to support community-based family education programs designed to help

parents improve their parenting skills and to help them learn how to cope with family life.

DCFS also offers a wide variety of volunteer programs for people wanting to serve their communities. Call your local DCFS office for details, or write to the Office of Volunteer Services, 406 E. Monroe, Springfield, IL 62701.

### **Who are mandated reporters?**

Members of the general public may report suspected child abuse and neglect if they choose. However, state law mandates that workers in certain professions must make reports if they have reasonable cause to suspect abuse or neglect. Mandated reporters include:

- **Medical Personnel:** Physicians, psychiatrists, surgeons, residents, interns, dentists, dentist hygienists, medical examiners, pathologists, osteopaths, coroners, Christian Science practitioners, chiropractors, podiatrists, registered and licensed practical nurses, emergency medical technicians, substance abuse treatment personnel, hospital administrators and other personnel involved in the examination, care or treatment of patients.
- **School and Child Care Personnel:** Teachers, school personnel, educational advocates assigned to a child pursuant to the School Code, truant officers, directors and staff assistants of day care centers and nursery schools, and child care workers.
- **Law Enforcement:** Truant officers, probation officers, law enforcement officers, and field personnel of the Department of Corrections.
- **State Agencies:** Field personnel from the Departments of Children and Family Services, Public Health, Public Aid, Mental Health and Developmental Disabilities, Corrections, Human Rights, Rehabilitation Services. Also includes supervisors and administrators of general assistance under the Illinois Public Aid Code.
- **Others:** Social workers, social service administrators, substance abuse treatment personnel, domestic violence program personnel, crisis line or hotline personnel, foster parents, homemakers, recreational program or facility personnel, registered psychologists and assistants working under the direct supervision of a psychologist, members of the clergy.

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; simply reporting suspicions to a superior does not satisfy legal requirements.

### **How should mandated reporters make reports?**

Call the child abuse hotline as soon as possible. Then you must send written confirmation to the appropriate DCFS field office within 48 hours. The Department will provide a form to use when sending this confirmation. 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 is the penalty for filing a false 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.