

**DEPARTMENT OF CHILDREN AND FAMILY SERVICES**

Distribution: X and Z

**POLICY GUIDE 2005.06**

**PROCEDURES FOR CHILD ABUSE AND NEGLECT INVESTIGATIONS  
INVOLVING CHILD CARE WORKERS**

**DATE:** December 7, 2005  
**TO:** Rules and Procedures Bookholders and Child Protection Staff  
**FROM:** Bryan Samuels, Director  
**EFFECTIVE:** IMMEDIATELY

**I. PURPOSE**

The purpose of this Policy Guide is to issue revised procedures and forms that shall be used in all child abuse and neglect investigations involving child care workers. Revisions to the procedures include a definition for a new category of child care workers called “career entrants.”

**II. Primary Users**

The primary users of these procedures are child protective service workers, supervisors and managers.

**III. Background**

In 1997, a class action lawsuit was filed concerning the Department’s policies and practices regarding the investigation of allegations of child abuse and neglect, and the policies and practices related to administrative hearings involving appeals of indicated findings of abuse and neglect. During the pending litigation, the Department amended its procedures to provide explicit, comprehensive instructions for assessing the reliability of information uncovered during a child abuse and neglect investigation. In 2003, the court issued a preliminary injunction approving the amendments to the Department’s rules, which provide for a heightened decision-making standard that required child protection service workers to gather and consider all of the evidence, including evidence showing that a person did or did not abuse or neglect a child and that the Department provide certain expedited processes to a certain category of child care workers. After an appeal of the court’s order, the Department was required to add the category of “career entrants” to the definition of child care workers that are entitled to receive the expedited processes.



#### **IV. Definitions of Career Entrants and Child Care Workers**

“Career entrants” means persons actively engaged in the job placement process as a child care worker, a person currently enrolled in an academic program which leads to a position as a child care worker, or a person who has applied for a license required for a child care worker position. A person shall qualify as a career entrant only if, at the time of notice of investigation, that person (1) has applied or will apply, within 180 days, for a position as a child care worker; (2) is enrolled in or will commence, within 180 days, an academic program which leads to a position as a child care worker; or (3) has applied for a license as a child care worker.

“Child care workers” means persons who work directly with children, or owners/operators of facilities regardless of whether the facility is licensed by the Department of Children and Family Services. Types of facilities and persons that work with children include:

- Child care institutions;
- Child welfare agencies;
- Day care/night care centers;
- Day care/night care homes;
- Day care/night care group day care homes;
- Group homes;
- Hospitals or health care facilities;
- School personnel, including school teachers or administrators (but not tenured public school teachers or administrators who have other processes available to them); and
- Employees who work with children in before and after-school programs, recreational programs, summer camps, or as full-time nannies.

Child care workers may also include persons employed in one of the above settings or persons seeking employment, enrolled in an academic program or applying for a license for a child care position who are alleged to be responsible for child abuse or neglect outside of their employment. If the investigation relates to an alleged perpetrator’s personal life, but the alleged perpetrator is employed as a child care worker in one of the above settings, the alleged perpetrator must request that the investigation be treated as an employment related investigation.

#### **V. Notification of Administrator’s Teleconference and Expedited Administrative Appeal for Child Care Workers**

The child protective service worker (CPSW) shall provide the alleged perpetrator the **CFS 1050-54** and **SACWIS/CANTS 8** at the time of the initial interview and explain the information contained on the documents. The CPSW shall also explain that persons who are actively engaged in the job seeking process for a child care position, currently enrolled or soon to be enrolled in an academic program which leads to a position as a child care worker or a current applicant for a license for a child care worker position and persons investigated in their personal capacity whose employment or license may be

affected by an indicated finding must identify themselves to the CPSW. Persons identified as child care workers shall be provided the following information.

- **Administrator's Teleconference**

An Administrator's Teleconference is held after the CPSW, CPSW supervisor and Child Protection Manager have concurred with the decision to recommend that the case be indicated. The Administrator's Teleconference provides the child care worker the opportunity to present documentary evidence or other information that supports his or her position and to provide information to assist the Department in making the most accurate decision regarding the allegations of child abuse and/or neglect.

- **Expedited Administrative Appeal**

In the event that the allegation of child abuse and/or neglect is indicated, an Expedited Administrative Appeal provides the child care worker with a final administrative decision within 35 days of the receipt of his or her request for an appeal, absent any continuances requested by the child care worker.

## **VI. Using Evidence to Reach an Investigative Finding Procedures 300, Subsection 300.60 (K)**

The final step in determining whether the State Central Register (SCR) reports will be indicated or unfounded is to consider all information obtained during the investigation and determine which information is relevant to be used as evidence to make a determination. It is of critical importance that all evidence suggesting that an incident of abuse or neglect did not occur be given the same consideration as evidence suggesting that an incident of abuse and neglect did occur.

The CPSW must evaluate every piece of information and evidence obtained during a child abuse and neglect investigation, including both inculpatory and exculpatory evidence. Inculpatory evidence is a legal term for evidence showing or tending to show a person's involvement in an act or tending to establish guilt. In child abuse and neglect investigations, inculpatory evidence means evidence showing or tending to show that a person abused or neglected a child. Exculpatory evidence is a legal term for evidence tending to establish a person's innocence or evidence that tends to justify or clear a person from alleged fault or guilt. In child abuse and neglect investigations, exculpatory evidence means evidence showing or tending to show that a person did not abuse or neglect a child.

Evidence that has been gathered during a child abuse and neglect investigation, including the inculpatory and exculpatory evidence, shall be documented in the Investigative Summary form.

## VII. Administrator's Teleconference Procedures

After the CPSW has gathered all of the evidence, including the inculpatory and exculpatory evidence, and made a recommendation to indicate the allegation or allegations, the CPSW supervisor and Child Protection Manager shall review the investigative file. If they concur with the CPSW's findings, the Child Protection Manager shall contact the appropriate Child Protection Administrator to schedule an Administrator's Teleconference.

The teleconference date, time and contact information shall be entered on the **SACWIS/CANTS 9, Notification of Intent to Indicate Child Care Worker for Report of Child Abuse and/or Neglect**. The CPSW shall also enter information regarding the children reported to be abused and/or neglected; the location where the reported abuse and/or neglected is alleged to have occurred; a description of the allegation for which the Department intends to find the person responsible, including the name of the allegation and the allegation number; and the number of years that the allegations recommended to be indicated will remain on the State Central Register.

The CPSW shall print the Investigative Summary and redact all portions of the summary other than the Allegations/Relationship and Contact Information Sections. **The reporter's information must be redacted from the Contact Information section.**

The CPSW shall meet in person with the child care worker and provide the worker with the **SACWIS/CANTS 9, SACWIS/CANTS 10** and the redacted SACWIS Investigative Summary. The CPSW shall complete the final page of the **SACWIS/CANTS 9** by including the SCR number and ask the child care worker to sign the acknowledgement of receipt. If the child care worker refuses to sign the acknowledgment of receipt of the documents on the **SACWIS/CANTS 9** form, the CPSW shall note that on the acknowledgement form and in a SACWIS case note. The CPSW shall review the information concerning the Administrator's Teleconference and expedited appeal process with the child care worker.

If the CPSW has made two unsuccessful attempts to meet with the child care worker in person, the CPSW shall obtain a new date for the Administrator's Teleconference and send the completed **SACWIS/CANTS 9, SACWIS/CANTS 10** and the redacted SACWIS Investigative Summary via certified mail to the child care worker. The CPSW shall use a SACWIS case note to document all attempts to meet with the child care worker.

The CPSW shall forward any hard copy documents to the Child Protection Administrator in advance of the scheduled Administrator's Teleconference. Field staff are encouraged to attend the Administrator's Teleconference.

The Child Protection Administrator shall convene the teleconference at the scheduled date and time. If the child care worker fails to attend the teleconference at the scheduled time, the Child Protection Administrator shall extend the start of the teleconference a

minimum of one-half hour. The Child Protection Administrator is no longer required to convene the teleconference if the child care worker fails to attend during the extended time frame, but must still review the investigative file and make a final finding. The Child Protection Administrator has the authority to indicate, unfound or send the case back for further investigation. If the investigation is sent back for further investigation, the Child Protection Administrator shall set a date by which the information shall be gathered. The Child Protection Administrator retains the authority to make a final decision in the case if the matter is returned for further investigation.

If the case is indicated after the Administrator's Teleconference, the CPSW shall confirm the date of the final finding letter sent from SACWIS and complete the **SACWIS/CANTS 11** form using that date. The CPSW shall mail the **SACWIS/CANTS 11** form to the child care worker.

### **VIII. Special Types of Reports**

These procedures do not supersede any of the requirements for the investigation of special types of reports contained in **Procedures 300, Section 300.70**.

### **IX. Revised Forms**

**SACWIS/CANTS 8, Notification of a Report of Suspected Child Abuse and/or Neglect**

**SACWIS/CANTS 10, Notice of Intent to Indicate a Child Care Worker for Report of Abuse and/or Neglect**

**SACWIS/CANTS 11, Notification of Indicated Decision in An Employment Related Report of Suspected Child Abuse and/or Neglect**

These forms can be ordered through normal channels from Central Stores and are also available on the SACWIS T-Drive, DCFS Webresource and DCFS Website.

### **X. Questions**

Questions concerning revisions may be directed to the Beth Solomon, DCFS Office of Legal Services, 160 North LaSalle Street, Sixth Floor, Chicago, Illinois 60601, 312/814-2481 or 312/814-2401.

### **XI. Filing Instructions**

Place this Policy Guide directly behind Procedures 300, Section 300.70 and remove Policy Guide 2003.10.

Rod R. Blagojevich  
Governor



Bryan Samuels  
Director

**Illinois Department of Children & Family Services**

**NOTIFICATION OF A REPORT OF SUSPECTED CHILD ABUSE AND/OR NEGLECT**

_____	_____
Name	Date
_____	_____
Address	SCR No.
_____	
City, State, Zip Code	

The Department of Children and Family Services has received a report of suspected abuse and/or neglect of the following children:

\_\_\_\_\_

\_\_\_\_\_

The reported abuse or neglect is alleged to have occurred at: \_\_\_\_\_

\_\_\_\_\_

The reported abuse or neglect is alleged to have involved the following acts/omissions (allegations):

\_\_\_\_\_

**The purpose of the Department’s investigation is to keep children safe. In most cases where child abuse or neglect is found, the Department will try to help families to improve their ability to protect children. This often involves obtaining social and other services for the family. In addition to obtaining services, the Department has the authority to take protective custody of children, if necessary to keep children safe, and may also involve the police and Juvenile Court.**

You need to know:

**THE INVESTIGATIVE PROCESS**

1. The Department is required by a law called the Abused and Neglected Child Reporting Act, 325 ILCS 5/1 et seq., to conduct investigations into allegations of child abuse and neglect.
2. Within 60 days of the date of the report, unless there is good cause to take more time, the Department must complete its investigation.
3. During the course of the investigation, an investigator is required to interview certain witnesses, depending on the type of child abuse and neglect that is alleged and to **request an interview with you** as part of the investigation into these allegations.

4. You can refuse to be interviewed, however, if you refuse, your refusal could affect the outcome of the investigation and could be used against you.
5. You can give the investigator the names of other people who know what happened or who may have information about what happened. The investigator will contact at least two of these people.
6. The investigator will give you a brochure that more thoroughly explains the Department's investigative process. Department rules and further information can be found on the Department's website at [www.state.il.us/dcfs](http://www.state.il.us/dcfs).

## **RESULTS OF THE INVESTIGATION**

An investigation can result in an indicated report or an unfounded report. A report is indicated if the Department concludes that the incident of a child abuse and/or neglect occurred. A report is unfounded if the Department concludes that the incident of child abuse and/or neglect did not occur. If a report is indicated, the Department also makes a determination after consideration of all of the facts, as to whether a specific individual is responsible for the alleged child abuse or neglect.

You will be notified in writing of the outcome of the investigation and will have the right to appeal any indicated report if you are found to be responsible for the abuse or neglect.

## **STATE CENTRAL REGISTER**

1. **The Law.** The Department of Children and Family Service is required by law to maintain a State Central Register of all reports of suspected child abuse or neglect, as well as the outcome of the investigation of these reports. The outcome of the investigation may include a determination that a specific person abused or neglected a child, or was responsible for the abuse or neglect. The law that governs this process is in the Abused and Neglected Child Reporting Act, 325 ILCS 5/1.

### **2. Length of Time on Register**

- a. If you are indicated as the perpetrator of child abuse and/or neglect, your name will be placed on the State Central Register, unless the report is removed as a result of your appeal. Your name will remain on the State Central Register a minimum of 5 years. More serious reports may be retained for 20 or 50 years.
- b. If the report is unfounded, all identifying information concerning this report will be removed from the Department's files according to a schedule specified in 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served by the Department.

3. **Who Can Get Information from the State Central Register.** The Department's State Central Register is not available to the public. However, employers or prospective employers of people who work with children can get information from the State Central Register. In addition, categories of people listed in the Abused and Neglected Child Reporting Act, 325 ILCS 5/11.1, which includes law enforcement personnel, physicians, and officials responsible for licensing people in professions that involve working with children, have access to the information kept on the State Central Register. This information can include whether you are listed on the State Central Register as being responsible for child abuse or neglect.

4. **Effect of Being Listed on the State Central Register.** The fact that you have been indicated as a perpetrator of child abuse or neglect and are therefore listed on the State Central Register may affect whether you will be able to obtain and maintain employment or a license needed to work with children, such as a license to operate a day care home.

5. **Appeal.** You may appeal the Department's decision to indicate you as a perpetrator of child abuse or neglect through the Department's administrative appeal process. This appeal will be before a neutral administrative law judge. Information about how to do this will be given to you in the event you are indicated.

6. **Juvenile Court and Criminal Court Cases.** An administrative appeal is different from a juvenile court case or a criminal court case. If you wish to appeal DCFS' indicated finding, you should file an appeal even if a juvenile court or criminal court case is pending.

## **IMPORTANT INFORMATION IF YOU ARE A CHILD CARE WORKER**

### **1. Who is a "child care worker?"**

"Child care worker" includes:

**Employees who work directly with children, or owners/operators of facilities regardless of whether the facility is licensed by the Department of Children and Family Services.** Types of facilities include:

- Child Care Institutions
- Child Welfare Agencies
- Day Care/Night Care Centers
- Day Care/Night Care Homes
- Day Care/Night Care Group Day Care Homes
- Group Homes
- Hospitals or health care facilities
- School personnel, including school teachers or administrators (but not tenured public school teachers or administrators who have other processes available to them)
- Employees who work with children in before and after-school programs, recreational programs, summer camps, or as full-time nannies

**Persons actively engaged in the job placement process as a child care worker, a person currently enrolled in an academic program which leads to a position as a child care worker, or a person who has applied for a license required for a child care worker position.** A person shall qualify as a career entrant only if, at the time of notice of investigation, that person (1) has applied or will apply, within 180 days, for a position as a child care worker; (2) is enrolled in or will commence, within 180 days, an academic program which leads to a position as a child care worker; or (3) has applied for a license as a child care worker. If you qualify under this section as a child care worker, you must tell the child protective service worker as soon as possible and provide documentation or other evidence of qualification as a child care worker.

**Persons employed in one of the above settings or persons seeking employment, enrolled in an academic program or applying for a license for a child care position who are alleged to be responsible for child abuse or neglect outside of their employment.** If the investigation relates to your personal life, but you are a child care worker in one of the above settings, an indicated finding may affect your employment and any license you hold that allows you to work with children. In that case, you may request an Administrator's Teleconference and still retain the right to appeal an indicated finding. **You must tell the child protective**



**service worker that you want the investigation to be treated as an employment-related investigation** which means that you would receive a Notice of Intent to Indicate, an opportunity for an Administrator’s Teleconference and an opportunity for an expedited hearing as outlined below.

2. **Notice of Intent to Indicate.** The Department will notify “child care workers” of its intention to indicate a report.

3. **Administrator’s Teleconference.** Before the decision to indicate is made, you have the opportunity to request a telephone conference with a Child Protection Administrator who has not been involved in the investigation. Further information about the telephone conference will be provided to you in the Notice of Intent to Indicate in the event the Department intends to indicate you as a perpetrator of child abuse and/or neglect.

4. **Expedited Appeal Hearing.** In addition to the Administrator’s Teleconference, you may also request an expedited appeal hearing. Further information about the expedited hearing also will be provided to you with the Notice of Intent to Indicate in the event the Department intends to indicate you as a perpetrator of child abuse and/or neglect.

Sincerely,

**DCFS is an equal opportunity employer, and prohibits unlawful discrimination in all of its programs and/or services.**

\_\_\_\_\_  
Child Protective Service Worker

Address \_\_\_\_\_

\_\_\_\_\_  
Telephone Number (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_



Illinois Department of Children & Family Services

**NOTICE OF INTENT TO INDICATE  
A CHILD CARE WORKER FOR REPORT OF CHILD ABUSE AND/OR NEGLECT**

**QUESTIONS AND ANSWERS**

**WHO IS A “CHILD CARE WORKER?”**

“Child care worker” includes:

**Employees who work directly with children, or owners/operators of facilities regardless of whether the facility is licensed by the Department of Children and Family Services.** Types of facilities include:

- Child Care Institutions
- Child Welfare Agencies
- Day Care/Night Care Centers
- Day Care/Night Care Homes
- Day Care/Night Care Group Day Care Homes
- Group Homes
- Hospitals or health care facilities
- School personnel, including school teachers or administrators (but not tenured public school teachers or administrators who have other processes available to them)
- Employees who work with children in before and after-school programs, recreational programs, summer camps, or as full-time nannies

**Persons actively engaged in the job placement process as a child care worker, a person currently enrolled in an academic program which leads to a position as a child care worker, or a person who has applied for a license required for a child care worker position.** A person shall qualify as a career entrant only if, at the time of notice of investigation, that person (1) has applied or will apply, within 180 days, for a position as a child care worker; (2) is enrolled in or will commence, within 180 days, an academic program which leads to a position as a child care worker; or (3) has applied for a license as a child care worker. **If you qualify under this section as a child care worker, you must tell the child protective service worker as soon as possible and provide documentation or other evidence of qualification as a child care worker.**

**Persons employed in one of the above settings or persons seeking employment, enrolled in an academic program or applying for a license for a child care position who are alleged to be responsible for child abuse or neglect outside of their employment.** If the investigation relates to your personal life, but you are a child care worker in one of the above settings, an indicated finding may affect your employment and any license you hold that allows you to work with children. In that case, you may request an Administrator’s Teleconference and still retain the right to appeal an indicated finding. **You must tell the child protection service worker that you want the investigation to be treated as an employment-related investigation** which means that you would receive a Notice of Intent to Indicate, an opportunity for an Administrator’s Teleconference and an opportunity for an expedited hearing as outlined below.

## **WHAT DOES IT MEAN TO BE “INDICATED?”**

An investigation can result in an indicated report or an unfounded report. A report is **indicated** if the Department concludes that the incident of a child abuse and/or neglect occurred. A report is **unfounded** if the Department concludes that the incident of child abuse and/or neglect did not occur. If a report is indicated, the Department also makes a determination after consideration of all of the facts, as to whether a specific individual is responsible for the alleged child abuse or neglect.

You will be notified in writing of the outcome of the investigation and will have the right to appeal any indicated report if you are found to be responsible for the abuse or neglect.

## **WHAT IS THE EFFECT OF AN INDICATED REPORT ON YOU?**

The fact that you have been indicated as a perpetrator of child abuse and/or neglect may affect whether you will be able to obtain and maintain employment of a license needed to work with children, such as a license to operate a day care home or a child welfare employee license.

**A record of the indicated finding will be maintained on the Department’s State Central Register.** The Department of Children and Family Service is required by law to maintain a State Central Register of all reports of suspected child abuse or neglect, as well as the outcome of the investigation of these reports. The outcome of the investigation may include a determination that a specific person abused or neglected a child, or was responsible for the abuse or neglect. The law that governs this process is in the Abused and Neglected Child Reporting Act, 325 ILCS 5/1.

## **HOW LONG WILL THE INDICATED FINDING BE KEPT ON THE STATE CENTRAL REGISTER?**

If you are indicated as the perpetrator of child abuse and/or neglect, your name will be placed on the State Central Register, unless the report is removed as a result of your appeal. Your name will remain on the State Central Register a minimum of 5 years. More serious reports may be retained for 20 or 50 years. The length of time your name will be maintained on the Department’s State Central Register depends on the allegation for which you are indicted. The length of time your name will remain on the State Central Register is listed on the Notice of Intent to Indicate.

If the report is unfounded, all identifying information concerning this report will be removed from the Department’s files according to a schedule specified in 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served by the Department.

## **WHO CAN GET INFORMATION FROM THE STATE CENTRAL REGISTER?**

The Department’s State Central Register is not available to the public. However, employers or prospective employers of people who work with children can get information from the State Central Register.

In addition, categories of people listed in the Abused and Neglected Child Reporting Act, 325 ILCS 5/11.1, which includes law enforcement personnel, physicians, and officials responsible for licensing people in professions that involve working with children, have access to the information kept on the State Central Register. This information can include whether you are listed on the State Central Register as being responsible for child abuse or neglect.

## **DOES THIS AFFECT MY JUVENILE COURT OR CRIMINAL CASE?**

Juvenile court and criminal court cases are separate from the Department's administrative appeal process. If you wish to appeal DCFS' indicated finding, you should file an appeal even if there is a juvenile court or criminal court case pending.

## **WHAT CAN I DO ABOUT THE DECISION TO INDICATE ME FOR CHILD ABUSE OR/NEGLECT?**

### **Administrator's Teleconference**

Before the decision to indicate is made, you have the opportunity to request a telephone conference with a Child Protection Administrator who has not been involved in the investigation. The Administrator's Teleconference provides you with an opportunity to present any information that you believe can or should help the Department make the most accurate decision regarding the current allegations of child abuse and/or neglect, including reasons why you believe the report should not be indicated. However, if you choose not to participate in the Administrator's Teleconference, the intent to indicate will most likely result in a decision to indicate you for child abuse and/or neglect and your name will most likely be placed on the State Central Register. The Administrator's Teleconference will allow you to respond to the allegations and the basis of the intent to indicate you.

After the Administrator's Teleconference, you will be given written notice of the decision as well as an explanation of the administrative appeal process. If you do not participate in the Administrator's Teleconference, you will be sent a notice of the Department's decision as well as an explanation of the expedited and regular appeal process.

You retain the right to appeal the decision whether or not you participate in the Administrator's Teleconference.

### **Administrative Appeal**

You have the right to appeal the Department's decision to indicate you as a perpetrator of child abuse and/or neglect through the Department's administrative appeal process. This appeal will be before a neutral administrative law judge.

Expedited appeals are available to child care workers as explained above. An expedited appeal hearing will result in a final administrative decision within 35 days of your request for an expedited administrative appeal, not, not including any continuances you might request.

If you do not request an expedited hearing, you may still request a regular administrative appeal hearing. A regular administrative appeal hearing will result in a final administrative decision within 90-days of your request for a hearing, not including any continuances you might request.

Information about how to request an appeal will be given to you in the event that you are indicated.

Rod R. Blagojevich  
Governor



Bryan Samuels  
Director

**Illinois Department of Children & Family Services**

**NOTIFICATION OF INDICATED DECISION IN AN EMPLOYMENT RELATED REPORT OF SUSPECTED CHILD ABUSE AND/OR NEGLECT**

_____	_____
Name	Date
_____	_____
Address	SCR No.
_____	
City, State, Zip Code	

The Department of Children and Family Services has determined that there is credible evidence that you re responsible for the following child abuse or neglect

Children reported to be abused or neglected:

\_\_\_\_\_

\_\_\_\_\_

The reported abuse or neglect is alleged to have occurred at: \_\_\_\_\_

\_\_\_\_\_

The Department intends to find you responsible for the following acts/omissions (allegations):

\_\_\_\_\_

An indicated report for the above allegations will be kept on the State Central Register for \_\_\_\_\_ years, unless, based on the outcome of your appeal, it is removed.

**The purpose of the Department’s investigation is to keep children safe. In most cases where child abuse or neglect is found, the Department will try to help families to improve their ability to protect children. This often involves obtaining social and other services for the family. In addition to obtaining services, the Department has the authority to take protective custody of children, if necessary to keep children safe, and may also involve the police and Juvenile Court.**

**YOU WILL ALSO BE RECEIVING OFFICIAL WRITTEN NOTIFICATION OF THE INDICATED FINDING FROM THE STATE CENTRAL REGISTER.**

You need to know:

## **RESULTS OF THE INVESTIGATION**

An investigation can result in an indicated report or an unfounded report.

- A. A report is **indicated** if the Department concludes that the incident of a child abuse and/or neglect occurred.
- B. A report is **unfounded** if the Department concludes that the incident of child abuse and/or neglect did not occur

If a report is indicated, the Department also makes a determination after consideration of all of the facts, as to whether a specific individual is responsible for the alleged abuse or neglect.

## **STATE CENTRAL REGISTER**

1. **The Law.** The Department of Children and Family Service is required by law to maintain a State Central Register of all reports of suspected child abuse or neglect, as well as the outcome of the investigation of these reports. The outcome of the investigation may include a determination that a specific person abused or neglected a child, or was responsible for the abuse or neglect. The law that governs this process is in the Abused and Neglected Child Reporting Act, 325 ILCS 5/1.

### **2. Length of Time on Register**

- a. If you are indicated as the perpetrator of child abuse and/or neglect, your name will be placed on the State Central Register, unless the report is removed as a result of your appeal. Your name will remain on the State Central Register a minimum of 5 years. More serious reports may be retained for 20 or 50 years.
- b. If the report is unfounded, all identifying information concerning this report will be removed from the Department's files according to a schedule specified in 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served by the Department.

3. **Who Can Get Information from the State Central Register.** The Department's State Central Register is not available to the public. However, employers or prospective employers of people who work with children can get information from the State Central Register. In addition, categories of people listed in the Abused and Neglected Child Reporting Act, 325 ILCS 5/11.1, which includes law enforcement personnel, physicians, and officials responsible for licensing people in professions that involve working with children, have access to the information kept on the State Central Register. This information can include whether you are listed on the State Central Register as being responsible for child abuse or neglect.

4. **Effect of Being Listed on the State Central Register.** The fact that you have been indicated as a perpetrator of child abuse or neglect and are therefore listed on the State Central Register may affect whether you will be able to obtain and maintain employment or a license needed to work with children, such as a license to operate a day care home.

## APPEAL

You have the right to appeal this decision. You may request an expedited appeal hearing or a regular appeal hearing. Expedited appeals are only available to child care workers. You will have **60** days from the date of the letter sent from the State Central Register in which to request either an expedited or regular administrative appeal. But the sooner you appeal, the sooner you will receive a decision from the Department. Your request for an administrative appeal must be in writing. You can simply sign at the bottom of this form and send a copy to:

Administrative Hearings Unit  
Expungement Appeals  
406 East Monroe Street  
Station #15  
Springfield, Illinois 62701-1498

Or fax it to 217-557-4652

If you request an expedited administrative appeal, you will receive a final administrative decision within 35 days of your request for an administrative appeal. If you do not request an expedited administrative appeal, you may still request a regular administrative appeal. If you request a regular administrative appeal, you will receive a final administrative decision within 90 days of your request for an administrative appeal.

**Career Entrants or Investigation Outside of Employment.** If you qualify as a career entrant or if the investigation relates to your personal life but you are a child care worker, you will be entitled to an expedited hearing if you informed the child protective service worker that you wanted the case to be treated as an employment related case.

Sincerely,

**DCFS is an equal opportunity employer, and prohibits unlawful discrimination in all of its programs and/or services.**

\_\_\_\_\_  
Child Protective Service Worker

Address \_\_\_\_\_

\_\_\_\_\_  
Telephone Number (      )      - \_\_\_\_\_